

House of Representatives

WEDNESDAY, MARCH 10, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used the following verse from Luke 24: 48: *Ye are witnesses of these things*, and then offered the following prayer:

Let us pray.

Almighty God, we humbly acknowledge that we are witnessing a time of world crisis and revolution, of confusion and doubt, of upheavals and overturnings of history.

There are many dark problems ahead of us, demanding to be solved. We seem to be walking a twilight path, reasoning and holding counsel together, but often discouraged and sad and lonely.

We sincerely feel that we need more faith for our comfort and courage. May we never be timid about our faith or shrink from trying to share it with others. Make us more forthright in talking of those spiritual truths which bear witness that we are concerned about life's highest interests.

Let us not be reticent about what we know we ought to believe and what Thou dost expect us to believe. Help us to keep aglow the light of faith during these times and may we do our utmost to stem the tides of crime and delinquency among youth and adults.

Grant that we may not, on any account, compromise with the forces of evil but may we join hands and hearts in a new covenant of love and fidelity to Thee in whom humanity alone can find healing and hope.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arlington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 2. Concurrent resolution to establish a Joint Committee on the Organization of the Congress.

MEET AGGRESSION AGAINST VOTING RIGHTS OF AMERICAN CITIZENS

(Mr. JACOBS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, America and the world learned in Manchuria and Ethiopia that aggression cannot be wished away but, if ignored, will grow and spread like cancer.

Unchallenged aggression grows simply because would-be aggressors begin to believe they can get away with it, too. Who can deny that the scourge upon American citizens in Selma is aggression as rank and brutal as any practiced in Korea or Vietnam?

Legislation is being introduced in this Congress effectively to meet aggression against the voting rights of American citizens.

To paraphrase the words of Wilson: I can predict with absolute certainty that within another 90 days, there will be other Selmas if this American Government does not concert this means by which to prevent them.

The eyes of racist demons, as well as the eyes of heaven are upon this Government as it determines whether it will protect God's children everywhere in this Nation.

CORRECTION OF THE RECORD

Mr. DYAL. Mr. Speaker, I ask unanimous consent that the RECORD of yesterday be corrected at page 4344 wherein it is stated, "I am not one of the 15 Members of the House who recently made a trip to Selma," to read "I am one of the 15 Members of the House who recently made the trip to Selma."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ALLIED SHIPS GOING TO RED VIETNAM CALL IN U.S. PORTS

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, in the last half of 1964 over 200 ships flying the allied flag hauled Red cargoes into North Vietnam. Ironically these same ships are being permitted to pick up the profits from U.S. trade in our own ports.

This situation exists at a time when the U.S. merchant marine has slipped to the point where it now carries less than 10 percent of America's sea trade.

At this very moment a Panamanian ship called the *Severn River* is loading in the port of New York. The *Severn River* went into North Vietnam last year. It also visited the U.S. ports of Richmond and Norfolk. The *Severn River* arrived

in New York last Thursday, March 4, from Communist Poland, and will sail for Italy shortly.

This ship is typical of others which serve the Reds in Asia, Eastern Europe, and the Caribbean while enjoying the conveniences of a free world flag. Ostensibly, the *Severn River* is owned by the International Commercial Corp., of Monrovia, Liberia. The president of that corporation is Mr. Henry Edward Hooper, of Chislehurst, Kent, England. The corporation's vice president and its secretary-treasurer are both British, and I have their names and addresses.

While over 40 percent of the free-world ships going into North Vietnam fly the British flag, the allied nations of Japan, Greece, Norway, Lebanon, Italy, West Germany, and Panama also engage in this Red trade.

Other free world vessels going into Vietcong ports are using U.S. ports as well. I have urged the State Department to stiffen diplomatic pressures on those countries shipping for the Reds. The President is doing his utmost to control the situation in Vietnam. The least our friends can do is stop helping our enemies.

ONE MAN, ONE VOTE IN STATE LEGISLATURES

(Mr. WELTNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELTNER. Mr. Speaker, I have read with much interest the daily protests of those who seek to destroy the constitutional guarantee that one man should have one vote in State legislatures.

Advocates of this change vest paramount importance in geography, history, economic interests and, as they say, "factors other than population."

Is not "population" another word for "people"?

I had always believed that the purpose of government is to serve people; that representative government is charged to represent people; and that democracy is government by people.

Now we are told that people must be subordinated to geography—or history—or economic interests.

Mr. Speaker, this is a strange doctrine.

Is geography important—except to locate people?

Is history important—except to guide people?

Is economic interest important—except to sustain people?

Mr. Speaker, governments are instituted among men, deriving their just powers from the consent of the governed.

If this be true then democracy has but one foundation, and that is people.

REORGANIZATION OF THE CONGRESS

(Mr. HECHLER asked and was given permission to address the House for 1 minute.)

Mr. HECHLER. Mr. Speaker, tomorrow the House will consider Concurrent Resolution 4 to establish a Joint Committee on the Organization of Congress. This is long overdue. It has been 20 years since the organization of the Congress was examined and recommendations were made through the La Follette-Monroney committee.

I support this resolution. I am sure it will pass. However, there is one very unfortunate limiting provision to which I would like to call the attention of the membership.

The resolution states that—

Nothing in this resolution shall be construed to authorize the committee to make any recommendations with respect to rules, parliamentary procedures, practices, and precedents of either House, or the consideration of any matter on the floor of either House.

I believe there are some Members who wish to amend this concurrent resolution to strike out this limiting provision. If we are going to have an effective committee which will thoroughly study the reorganization of Congress, it should not be limited or hogtied. It should be given the freedom to make a long and careful examination of all aspects of Congress. To be effective, the inquiry should go into all of the rules, procedures, and precedents of the House. Under the Constitution, "each House may determine the rules of its proceedings," and this will be the case here, also. But we should not inhibit the basic inquiry.

I would like to alert the membership that this amendment will be brought up when the resolution is considered tomorrow. I trust that the amendment will be adopted in order to produce a more meaningful inquiry. Then Congress itself will have a full opportunity to pass on any recommendations which are made. Why limit the joint committee? We ought to be able to trust ourselves to proceed with a full and free inquiry, and then vote on the results of the joint committee's deliberations.

THE SELMA, ALA., SITUATION

(Mr. TUNNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TUNNEY. Mr. Speaker, I would like to address the House on the very explosive situation in Selma, Ala.

Negro citizens in Selma in the past days have been subjected to cruel and unusual treatment at the hands of local and State officials. It is a national disgrace to have American citizens beaten, tear gassed, and abused in this manner.

Most of us look to our local and State police as dedicated public servants who strive to maintain the public order. In

Selma we are treated to a spectacle in which Negroes not only cannot look to the police for protection, but must fear the police as a prime source of harassment.

I believe that certain white and Negro citizens of Alabama have been deprived of their constitutional right of peaceful assembly. I believe that there are sufficient grounds to assume certain local and State officials are responsible for depriving these citizens of this right.

Under title 18, sections 241 and 242, of the United States Code, it is a crime for any person acting under color of law to deprive another inhabitant of the United States of any constitutional right, privilege, or immunity. It is also a crime for two or more persons to conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise of any constitutional right or privilege.

It is my understanding and hope that the Attorney General of the United States is presently investigating recent developments in the city of Selma to see if any violations of Federal law have occurred. If there have been violations, I think that every fairminded citizen of our country will join me today in urging the Attorney General to prosecute those men responsible to the full extent of the law.

DRUG ABUSE CONTROL BILL

(Mr. ROSENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSENTHAL. Mr. Speaker, before we conclude our action on the drug abuse bill, H.R. 2, I would like to pay tribute to my good friend and colleague from Queens County, N.Y.—the Honorable JAMES J. DELANEY—who deserves a great deal of the credit for bringing this legislation to the attention of the Congress, and to this point where there is a very good likelihood that it will be enacted into law.

In 1950, 15 years ago, JIM DELANEY was working to improve the protection of the American public through strengthening of the Food, Drug, and Cosmetic Act. In the early 1950's, long before some of us were even Members of this House, he and his investigating committee worked diligently to gain the necessary and appropriate information whereby corrective legislation could be developed.

In the 88th Congress, JIM DELANEY introduced legislation which was the forerunner of the bill we are now considering. He had long ago recognized the tremendous growth in the traffic of dangerous drugs, and had recommended that penalties on the abuse of barbiturates and amphetamines be placed where they rightfully belong—on the pushers rather than on the enslaved users.

I believe that every American parent whose children will be protected from the ravages of drug abuse owes him a great debt of thanks. I believe, too, that every person who drives and carries his family on the Nation's highways can be thankful to JIM DELANEY for clearing those roads of drug abusers armed with lethal automobiles. His handiwork will

be clearly demonstrated by passage of this bill which will help improve safeguards against drug abuse, work to reduce our highway accident toll, and at the same time decrease juvenile delinquency and crimes of violence.

HEALTH HAZARD OF CIGARETTES

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, the Public Health Service through the Surgeon General yesterday asked Congress for \$1,950,000 to help keep the public informed on the health hazards of cigarettes. I am today requesting the National Association of Broadcasters to cooperate in this effort by considering voluntary curbs on cigarette advertising to help the Public Health Service in this effort.

DEMOCRACY MEANS A PARTNERSHIP OF THE PEOPLE IN GOVERNMENT

(Mr. MATHIAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MATHIAS. Mr. Speaker, one of the finest tributes ever paid to Winston Churchill was at a time that is now recognized as having been the pinnacle of his career. At that time however the ultimate outcome of the war was still unknown and the Churchillian power to mobilize the courage and moral force of the free world was not yet the legend that it has now become.

Writing in early 1942 Walter Lippmann noted Churchill's dedication to the practice of democracy, and in particular to Churchill's concept that a free people are entitled to full partnership in government and that such partnership includes a frank appraisal of all the information that is necessary to create and sustain national policy.

Sometimes this may mean conveying good and hopeful news. Sometimes it may mean conveying discouraging and bad news. But this full partnership in government by the people is necessary to the practice of democracy. It is in this spirit, Mr. Speaker, that I am today joining in the cosponsorship of the resolution to change the rules of the House of Representatives so as to allow the Secretary of State to be recognized on the floor of the House for the purpose of answering questions propounded by Members of the House.

DRUG ABUSE CONTROL AMENDMENTS OF 1965

(Mrs. BOLTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOLTON. Mr. Speaker, I want to congratulate the Committee on Interstate and Foreign Commerce for bringing out the bill H.R. 2, to establish greater control over the manufacture and distribution of depressant and similar drugs including barbiturates and amphet-

be only the beginning. "The present program is going to cost more than \$1 billion a year before long, and the U.S. taxpayer won't stand for that very long," declares Marion Rhodes, president of the New York Cotton Exchange, who also raises cotton in Missouri.

JOHNSON SEEKS NEW APPROACH

The industry's nervousness over the extent to which it relies on Federal funds has increased in recent weeks. While President Johnson has indicated he favors continuing present price-support programs at least another year, he has directed Agriculture Secretary Freeman to "lead a major effort to find new approaches to reduce the heavy cost of our farm programs and to direct more of our efforts to the small farmer who needs help the most."

This was closely followed by an Agriculture Department report showing that 56 percent of the Nation's farm families got just 9 percent of the Government's price support payments in the 1963-64 crop year. Then there was a magazine article by Budget Director Kermit Gordon critical of the cost of farm price-support programs. Furthermore, continuing reapportionment of congressional seats is trimming the farmer's already dwindling political power.

"There's no doubt the present cotton program is costing too much for what we're getting out of it," asserts C. H. Devaney, president of the Texas Farm Bureau in Waco. Significantly, his State led the Nation in the 1963-64 crop year with receipt of \$492 million in price supports on all farm products. Like other members of the American Farm Bureau Federation, Mr. Devaney would like to see cotton price supports steadily reduced and eventually replaced by a support equal to 90 percent of the average market price in the preceding 3 years.

SUPPORT PRICE DECLINE

There's some indication the Agriculture Department is already tending in the direction the Farm Bureau seeks to go. Price supports on the 1965-66 cotton crop will drop to 29 cents a pound, from 30 cents this year and 32.5 a year ago. The bureau would like to see them further reduced to 27 cents a pound in the 1967-68 crop year. Then starting with the 1968-69 crop year, the 90 percent of the preceding 3-year average would take over—or about 25 cents in 1968-69. Presumably, the support level would drop further in succeeding years, as market prices set by supply and demand would become the basis for supports.

But perhaps the major reason for worry in the cotton industry is the fact that the Federal Government's massive new program is failing to solve the industry's longstanding ills, and it's adding some new problems as well.

"The present program is hopeless," states C. Layton Merritt, Jr., a New Orleans cotton broker. In varying degrees, his sentiment is echoed by scores of cotton farmers, ginners, and shippers from the Carolinas to California. They're joined by the chairman of the Senate Agriculture Committee, Senator ELLENDER, of Louisiana, who contends the new program has failed to accomplish a single thing it set out to do.

To be sure, the new textile mill subsidy ended the inequality of U.S. mills paying 8.5 cents a pound more for U.S. cotton than their foreign competitors paid for our cotton. That, in turn, perked up textile profits, and prompted some price cuts on U.S.-made clothing.

But even these successes have been limited. Synthetic fibers made up a record 38.6 percent of the raw material fed to U.S. textile looms in 1964, while cotton's share plunged to an alltime low of 55.1 percent. Imports of foreign-made clothing continued to take a growing share of U.S. markets. And price cuts on U.S.-manufactured cloth-

ing have fallen short of the \$500 million Congress had anticipated.

To many in the cotton industry, therefore, the new program amounts to little short of a disaster. Instead of rising, export sales of U.S. cotton are falling at a sharper rate than domestic sales are climbing. For the year ending July 31, exports are expected to be 1.4 million bales under the previous year, double the anticipated 700 million bale rise in domestic use.

"The fixed export price on U.S. cotton makes it practically impossible to sell on the world market when other countries have cotton for sale—they simply undercut our price," complains Jack J. Stoneham, Dallas cotton merchant and chairman of the foreign trade committee of the National Cotton Council. "We're reduced to selling what can be sold under foreign aid programs and outright giveaways to other countries."

ADDING TO THE SURPLUS

Because this decline in exports is cutting total consumption after a record crop, the addition to Government surplus stocks of cotton on July 31 is expected to total 2 million bales, double the rise a year earlier. That would put stocks at 14.4 million bales, the second highest carryover ever. This amounts to a full year's supply and represents a taxpayers' investment of about \$2 billion.

"This rapid buildup up Government stocks is a millstone around the farmer's neck," declares Walter L. Randolph, Montgomery, Ala., a national vice president of the American Farm Bureau Federation. "Everytime the surplus climbs, it brings more pressure for a cut in acreage allotments."

And despite a record 15.3-million-bale harvest in the current crop year, farmers are getting less money for their cotton than the previous year, due to a combination of lower support prices and a decline in total demand for cotton.

"I sold my cotton for 2 cents a pound above the 32.5-cent support price a year ago, but this time I've only been able to get the new 30-cent support price—that 4.5-cent cut has cost me \$22.50 a bale," says Newton S. Cooper, a Casa Grande, Ariz., cottongrower. Russell Kennedy, an official of a large California cooperative, reports, "about 40 percent of the farmers on the eastern side of the San Joaquin Valley didn't make any profit on their crops this year under the new program."

Perhaps the severest critics of the program are the merchants and shippers. "The red-tape connected with the new program is driving me crazy," comments Charles W. Shepard, Jr., a Gadsden, Ala., merchant.

Merchants and shippers also complain the current cotton program is reducing the role of middleman. "The program so heavily favors cooperatives that they're steadily taking over the industry," declares Ed Martin, vice president of Sternberg-Martin Co., a Dallas cotton firm. "With their vast tax advantages, they're diverting profits produced at Government expense into purchase of hundreds of cotton gins, cottonseed oil mills, cotton compresses and other facilities."

Merchants feel much of the trouble comes from the way in which farm prices are supported. A farmer can elect to put his cotton under a Government loan, set well above the market price, and receive immediate payment for it. Then if the cotton can't be sold by July 31, the Government simply takes title to it.

"The cotton loan program has been a total failure," asserts William C. Helmbrecht, Jr., past president of the Dallas Cotton Exchange. "Not only does it build surpluses and cost money, it has encouraged farmers scattered around in almost every State to produce cotton just for the Government to store because its quality is not spinnable at the price Washington sets for it."

YIELDS GET A BOOST

The program also has been foiled by the farmer's ingenuity in steadily boosting yields per acre—they now average about 1 bale per acre, compared with one-quarter bale when Government cotton programs started in 1933. For example, farmers agreeing to cut their 1965-66 acreage by one-third from their normal allotment can qualify for a loan price 4.35-cents-a-pound higher than those using the full allotment. But, notes J. D. Hayes, president of the Alabama Farm Bureau, "a large number of Alabama farmers are going to take this so-called domestic allotment this year, then skip-row plant and grow just about as much cotton as before." Skip-row planting is the technique of planting two rows, then leaving one fallow. This counts as a one-third acreage reduction, but the extra space stimulates cotton production in the remaining rows by 30 to 60 percent.

Many in the industry are also critical of the emphasis the program places on "preserving the small farmer." Over half of the 707,988 farms receiving cotton allotments in 1964 received 15 acres or less, notes a Memphis banker. "About half of these farmers would just as soon quit raising cotton if the Government would give them a way to do so," he asserts.

Shippers and merchants generally agree the obvious way to regain cotton's lost markets would be to return to a free market in which supply and demand would set the price of cotton. To ease the transition of farmers to this free market, they suggest the Government simply make direct payments to the farmer based on the difference between the market price of his cotton and the support level calculated to give him a profit.

"This would be vastly cheaper than the present system, and would start cotton moving in normal trade channels again," contends Mr. Rhodes, of the New York Cotton Exchange.

Most producers, however, oppose this proposal. "Any system of direct payments to farmers would probably mean limitations on the amount a farmer could receive," says Harold F. Oldendorf, an Osceola, Ark., cotton farmer. "That would penalize those who are the most efficient." Adds C. R. Harvin, a Summerton, S.C., cottongrower: "Once we start following the world price down, there's no telling how low it would go. That would surely mean similar cuts in support prices."

But all segments of the industry agree that some new approach must be tried soon. Warns Mr. Helmbrecht, of Dallas: "We are no longer at the proverbial crossroad. U.S. cotton has reached the end of the line. We have to start growing cotton for consumption or stop growing it."

SHODDY ARMS AND EQUIPMENT IN VIETNAM

Mr. TOWER. Mr. President, I have been shocked, as I know other Senators have, by press dispatches over the weekend indicating that American servicemen in Vietnam still—after all these months—feel they are getting shoddy arms and equipment inadequate to the task they face.

May I say that letters I have received from Vietnam express the same view.

I do not desire to belabor the point. It is too obvious to need my elaboration. May I only ask that there be printed in the RECORD a copy of an Associated Press story from the Washington Star of March 7 and the text of Senate Resolution 25 presented to this Senate by myself and Senators ALLOTT, BENNETT, CURTIS, FANNIN, JORDAN of Idaho, MURPHY, RANDOLPH, and SIMPSON.

In addition, Mr. President, I sincerely hope that the President will find it possible to declare the southeast Asian theater a combat zone. Obviously it is that with 27,000 Americans there and Marines engaging in landing operations.

This simple Presidential designation would bring increased efforts at home to see that our troops are properly supplied; it would increase morale; and it would immediately grant income tax benefits to our men there and to their dependents—and in those tragic cases that continue to arise—to their survivors.

There being no objection, the article and resolution (S. Res. 25) were ordered to be printed in the RECORD, as follows:

**WEAPONS IN VIETNAM SHODDY, SOLDIERS SAY—
NEW AMERICAN COMPLAINTS ALSO INCLUDE
SHORTAGE OF AMMUNITION**

(By Peter Arnett)

SAIGON, SOUTH VIETNAM.—A flurry of new complaints came yesterday from U.S. servicemen in South Vietnam that they are fighting with shoddy weapons, shortages of ammunition, and a lack of equipment—although, they said, some items are for sale on Saigon's black market.

One U.S. Army adviser said Soviet-made ammunition clips taken from the Vietcong are better quality than those sent from the United States. The American ones jam the U.S.-made weapon, he said.

NEW COUP EMBODIED

In the field, fighting continued around the joint United States-Vietnamese airbase at Da Nang. The field there is the jumping-off point for airstrikes against Communist North Vietnam and Laos.

Here in Saigon rumors of new coup were afloat and there was a possibility of anti-American demonstrations.

Coup talk got started after Vietnamese air force planes flew a mock bombing raid on the city. Their flights apparently were touched off by the presence of troop reinforcements in the city to guard against possible anti-U.S. demonstrations.

Complaints from U.S. servicemen about their weapons and equipment are nothing new in this war but the latest batch comes at a time when U.S. involvement here has been deepened.

UNITED STATES TO INVESTIGATE

In Washington, the Defense Department said the new complaints would be looked into.

"It is and has been the policy of the U.S. Government to give U.S. forces in South Vietnam a blank check for obtaining any and all material and logistical support needed in connection with their activities. Equipping our forces in South Vietnam has had and will continue to have the highest priority," a spokesman said.

One U.S. Army adviser stationed in central Vietnam claimed that although the war was getting more serious, the most up-to-date weapons have not come to all units.

"The armalite automatic rifle would fill the bill nicely with its proven effectiveness," he said.

"But only the Special Forces and some privileged units get these. The best we get is the automatic carbine. As things get worse here, we need the best weapon for personal protection."

EQUIPMENT CRITICIZED

Another adviser said the ammunition clips for the carbines are too lightly constructed and jam easily under the hard usage.

"The clips for the Russian weapons we pick up from the Vietcong are much stronger and more heavily constructed," he said.

"I was better equipped in World War II," said a U.S. Army engineer, holding up a

World War I pistol belt and some rusty cartridge magazines.

"I read somewhere that the Defense Department says the Americans in Vietnam are the best-equipped fighting men ever to go overseas," he added. "They still have to show that."

The most recent complaint to come to light before this was that of U.S. Army Capt. John King, of Sebring, Fla. In November he wrote to his family that U.S. rifles, carbines, and machineguns had not been properly maintained by the Vietnamese. A month later King was killed in action.

SENATE HEARING HELD

A secret Senate hearing in Washington 4 weeks ago upheld King's critical report. Previous to that have been complaints from U.S. airmen who said World War II-type B-26 bombers fell apart in the air. The old B-26's have been phased out.

Last November the Defense Department acknowledged that first-aid kits issued to American troops in the Mekong River Delta area were unserviceable and had been replaced.

The new round of complaints came from Army, Navy, Marine, and Air Force advisers. They were interviewed separately. They all asked not to be quoted by name lest they get into trouble.

One item in short supply is camouflaged nylon poncho liners used as lightweight blankets.

AVAILABLE ON BLACK MARKET

"Saigon says they don't have any left, but I know they are available on the black market in Saigon," one lieutenant said. "I know that if I went to U.S. military headquarters in Saigon and made a scene I would be issued a poncho liner and the other items I am lacking. But then I would remain a first lieutenant all my life."

An American pilot said he has not been issued a flying jacket.

"Supply says it hasn't got any, but there are hundreds being sold on the streets of Saigon," he said. "I won't buy one there on principle."

The pilot of an Army spotter plane claimed:

"We can't get chamois leather to strain gasoline at the tiny airstrips we refuel from. But this chamois can be bought on the Saigon black market without any trouble."

BAD AMMUNITION CHARGED

From U.S. Navy advisers came these complaints:

"Some of the ammunition for our cannons is in pretty bad shape when it gets here. The guns on one ship jammed every 20 or 30 rounds."

"The skin hull of one of the Navy ships sent over here from the States was so rusted you could punch a hole through its armor with a pencil."

Men in the central highlands claim that the ammunition supply there is low. Others reported shortages of artillery shells.

One Army man said ammunition issued for personal weapons is often rusted.

"It was packed as far back as 1952 for Korea," he said. "When we complain about it we are told: 'Clean it.'"

S. RES. 25

Whereas American military servicemen are fighting and dying in the Republic of Vietnam and in Laos; and

Whereas these Americans and their comrades-in-arms from the Republic of Vietnam and from Laos are fighting to preserve freedom and liberty from the treachery and brutality of Communist aggressors; and

Whereas the United States does not regard its soldier sons as mere mercenaries fighting only for pay, but as dedicated and courageous protectors of liberty who are committed to battle to preserve and defend principles

which Americans hold to be of the utmost importance; and

Whereas American servicemen go into battle knowing that they will not be betrayed in trust or in support by their Government or their fellow citizens for whom they offer their lives if need be: Now, therefore, be it

Resolved, That American servicemen fighting in the Republic of Vietnam, or at any other place, be provided promptly and in adequate numbers with the most effective weapons, equipment, and aircraft available in American military inventories.

DENUNCIATION BY AFL-CIO OF TRADE WITH COMMUNISTS

Mr. TOWER. Mr. President, the March 2 issue of the Washington Post carried a story dated Miami Beach in which it was related that the AFL-CIO's executive council had some rather strong language for those businessmen in our midst who seek to trade with Communist nations.

Mr. President, these labor leaders are showing far more cognizance of the world situation today than many of our leading businessmen and largest corporations. I commend their actions, and I commend their statement to my colleagues in the Senate. I ask unanimous consent that the newsstory be printed in the CONGRESSIONAL RECORD as it was carried on that date.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AFL-CIO DENOUNCES BUSINESSMEN'S PLAN TO SEEK RED TRADE

MIAMI BEACH.—The AFL-CIO's executive council denounced American businessmen yesterday for seeking trade with Communist nations and called for a ban on trade or credit concessions until Communist leaders agree to make concessions.

AFL-CIO President George Meany characterized the business community's interest in trade with the Communist bloc as "greed for profit." The 29-member council's statement added that trade concessions should be predicated on such factors as the Communists agreeing to stop subversion in South Vietnam and the Congo and taking down the Berlin Wall.

The strongly worded statement appeared to be in conflict with President Johnson's policy of exploring ways to use expanded trade as a bridge toward world peace. But Meany, when questioned on this point, said he believed the President would agree with the AFL-CIO's call for political concessions as a precondition for greater trade.

POSITION OF DALLAS CHAMBER OF COMMERCE ON CERTAIN PROPOSED LEGISLATION

Mr. TOWER. Mr. President, I ask unanimous consent that there be printed in the RECORD resolutions recently passed by the Dallas Chamber of Commerce. These resolutions indicate support of that chamber for retention of section 14(b) of the Taft-Hartley law, for the eldercare bill which I have introduced in the Senate as S. 820, and for military preparedness and elimination of waste spending in our Federal Government.

I commend to the attention of the Senate these thoughtful and powerful resolutions.

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CONGRESSIONAL RECORD — HOUSE

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Dr. Muschenheim said the 380,000 Indians and Alaskan natives who benefit from the Federal Indian health program, need annual additions of at least \$5 million to the Indian health budget to improve health services. The proposed budget carried a \$2.4 million increase for health.

STATISTICAL PROFILE

He gave this statistical profile of the Indian today: "unemployment, 45 to 50 percent; median family income, \$1,500; housing, 90 percent below acceptable standards; average educational level, 5 years; average at death, 43 for Indians and 35 for Alaska natives."

Infant death and death from influenza, pneumonia, gastroenteritis and tuberculosis occur at far higher rates among Indians than in the general population, he said.

More than 70 percent of the Indians and Alaskan natives haul their drinking water a mile or more, from unsafe sources and in unsanitized containers, he continued.

"Poor health, meager education, low income and wretched living conditions are the cardinal points on the vicious circle of Indian poverty," Dr. Muschenheim said.

TEMPORARY EMPLOYEES IN THE POSTAL SERVICE

(Mr. DULSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DULSKI. Mr. Speaker, I am introducing a bill today entitled "A bill to limit the use of temporary employees in the postal service." Because of various restrictions, the Post Office Department has been using an excessive number of temporary substitutes. This is most unfair to the men who are serving as temporaries, because they are not placed under civil service; they do not come under the Civil Service Retirement Act; they receive no credit for seniority purposes, although they may serve as temporaries from 3 to 7 or 8 years. It is also unfair to the Government, because it does not provide for stabilized regular service, but it has a group of men working in an uncertain status for a long period of time.

Routes are not filled on a permanent basis; assignment of clerks is not made on a permanent basis—and it is my opinion that the use of temporary substitutes is a very expensive operation to the Post Office Department.

To illustrate the vast number of substitutes that are used in the Post Office Department, there were 104,878 regular routes and 34,539 part-time routes. There are generally more substitutes used in the clerical service than in the letter carrier service, and the actual ratio of substitutes to regular employees is 1 for every 2.5 regular employees. There is a quota law that permits 1 substitute for every 5 regular employees, so the use of temporary substitutes has pretty well nullified the quota law, which was passed for good and sufficient reasons by the Congress.

There is no business in America which operates in such a makeshift manner and, for that reason, I am introducing legislation that will limit the use of temporaries to a 90-day period and, following the conclusion of that 90-day period, temporary substitutes cannot be rehired until a 90-day interval has elapsed. This

will still permit the use of many regular career substitutes who have civil service status, have retirement rights and seniority credit, and can look forward with confidence to appointment to a regular position.

In my opinion, the legislation is necessary for both the stability and morale of the postal service, and I hope that it will be passed in this session of Congress.

NUMBER OF EMPLOYEES IN THE POSTAL SERVICE

Mr. Speaker, I am today also introducing a bill titled "A bill to make the provisions of Public Law 82-253, as amended, inapplicable to the Post Office Department." The bill has for its purpose amending the so-called "Whitten rider." The Whitten rider, which was carried on an appropriation bill passed in 1952, provided that the total number of employees in the Federal Government could not increase more than 10 percent above the number on the rolls on June 30, 1950.

There was one amendment to the rider that permitted a little latitude in the case of the Post Office Department, but with the growth of population and the growth of Government functions, we have now reached a point where we can no longer continue to operate under the restrictions of the Whitten rider. This is particularly true in the Post Office Department, where there is an annual increase of 2 billion pieces of mail and where the number of houses requiring service is increasing by 1.5 million a year, and the population during the past year has increased by 4 million people. Obviously, more employees are needed to serve the spreading suburbs throughout America. The elimination of the restrictions of the Whitten rider, as far as the Postal Field Service of the Post Office Department is concerned, is not only desirable at this time, but an absolute necessity.

ADMITTING THE SECRETARY OF STATE TO THE HOUSE FLOOR FOR QUESTIONING BY MEMBERS

(Mr. LINDSAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINDSAY. Mr. Speaker, I am pleased to announce that 12 colleagues are joining me today in introducing a resolution to amend the rules of the House to permit the Secretary of State to come onto the floor to answer questions by Members.

As I said in recommending this procedure over a month ago, I believe we have an obligation to find out what the administration's policies are, where they are taking us, and what they are intended to achieve. I believe this resolution would be very helpful to the Congress in assessing the course of this country's foreign policies.

The sponsors of the resolution are holding a press conference to discuss this resolution at 12:30 p.m. today in room H-219 of this building.

Adoption of this resolution would serve the administration, the Congress, and the people:

First, it would provide the administration with an excellent forum for the explanation and defense of its policies

abroad. Presently, the public's knowledge of the reasoning behind our conduct of foreign affairs is largely limited to occasional press conferences and congressional hearings. Neither is wholly satisfactory.

Second, direct questioning of the Secretary of State would enable Members of Congress to secure prompt and authoritative information on our relations with other countries. This information is essential to our role as elected public officials.

Third, a free and spontaneous question and answer period, responsibly conducted, would increase public confidence in the wide-ranging commitments of the United States in defense of liberty and justice. An informed electorate is an enlightened one.

Mr. Speaker, I ask unanimous consent that the text of the resolution, our joint statement, and an article of mine which appeared in last Sunday's New York Herald Tribune elaborating this proposal further be included in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The matter referred to follows:

H. RES. 262

Resolution amending the Rules of the House of Representatives to permit the Secretary of State to answer questions on the floor of the House

Resolved, That rule XIV of the Rules of the House of Representatives is amended by adding at the end thereof the following.

"9. The Speaker may recognize the Secretary of State, and he may be admitted to the floor of the House at any time, for the purpose of answering any question by a Member of the House of Representatives."

JOINT STATEMENT OF REPRESENTATIVES

As Members of the Congress we are deeply concerned over events in southeast Asia. With all Americans we share an abiding hope for the restoration of peace in Vietnam—a peace which preserves the integrity of South Vietnam and each of the sovereign states of the area.

Tension is mounting in the Middle East. Other crises of less immediate drama are also testing the capacity and willingness of the United States to lead. There is serious discord within the Atlantic Alliance. In the Congo, the turmoil continues. On each foreign policy issue Members of the Congress have the obligation to seek and the right to receive detailed information from the administration regarding U.S. policy. The maintenance of effective communications between the executive and legislative branches has been a persistent problem.

We believe that it would be helpful for the Secretary of State to appear on the floor of the House of Representatives to answer questions on U.S. policy in Vietnam and other crisis area.

We have today introduced a resolution to amend the Rules of the House of Representatives in order to permit the Secretary to participate in such a question period. The questions of Members could be submitted to the Secretary in writing together with the invitation to appear before the House. Oral questions during the Secretary's appearance could be limited to those germane to questions which he has already answered. The degree of detail of the Secretary's answers, and even the decision to answer at all, are matters properly left to his own discretion.

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Adoption of this resolution would serve the administration, the Department of State, the Congress, and the people:

A question period would enable the administration to expound its foreign policy to the public. Congressional committee hearings, while valuable and necessary for in-depth inquiries on a variety of subjects, do not afford the administration a broad public audience.

A question period would enable the State Department to benefit from a sense of liability of prompt and public explanation.

A question period would enable Members of the Congress, as popularly elected guardians of the public trust, to secure and consider prompt and authoritative information on America's foreign relations.

A question period would enable the people to have the utmost confidence in their Government by facilitating the flow of information between the administration and the public. To the extent that the Presidential press conference does not fully fill this need, a question period in the Congress may be an important complement to it.

Our resolution is simple and limited. It is in no sense an effort at comprehensive reform of basic congressional procedures and therefore it has neither the broad scope nor the elaborate detail of previous efforts to provide for a public interchange between the Congress and the Cabinet.

Even the broad proposals of the past, however, have had substantial bipartisan backing. The long list of leaders who have given support to the principle of the resolution we have introduced today includes many whose influence on U.S. foreign policy has been immense: Presidents Woodrow Wilson and William Howard Taft; Secretaries of State Henry L. Stimson, Charles Evans Hughes, and James F. Byrnes; Senators Henry Cabot Lodge, Jr., Estes Kefauver, and J. WILLIAM FULBRIGHT. Even both sides of the current Senate debate in Vietnam are represented on the list in the persons of Senators GAUENING, of Alaska, and McGEE, of Wyoming.

The great Republican Secretary of State, Elihu Root, writing in 1935, best expressed the values which could be served by adoption of our resolution:

"It has long seemed clear to me that we ought to have some arrangement under which Congress would have the benefit of more prompt and authoritative information as to the action of the executive department.

"On the other hand, I think that a sense of liability of prompt explanation has a very good effect upon the head and the leading members of an executive department."

Our limited proposal would enable both the majority and minority Members of the House to consider foreign policy issues in the most constructive manner possible. We Republicans, with the reduced state of the minority in Congress, have a higher obligation than ever before to be a proper opposition in the sense that we insist that the Government make clear to the people through their elected representatives what U.S. foreign policy is.

The Republican Party has a long tradition of bipartisan support of foreign policy—established beyond question by men of the stature of Henry Stimson and Elihu Root. But bipartisanship in foreign policy absolves no Member of Congress of his obligation to seek out the content and purpose of that policy.

The intense consideration of foreign affairs by the Congress and the House of Representatives is not new. In recent years congressional resolutions have, in fact, helped to define American foreign policy. The resolution on Formosa in 1955, the resolution on the Middle East in 1957, and the resolution on Berlin in 1962, all became vitally important statements of the U.S. position.

The congressional resolution on Vietnam, passed last August 10, has been cited by the

administration time and again as the authority behind U.S. policy decisions. Last August, during debate on that resolution, the Congress and the executive branch took seriously the congressional responsibility to participate in the careful consideration of U.S. policy. They should continue to take that responsibility seriously by permitting the Secretary of State to answer questions on Vietnam and other crisis areas on the floor of the House.

[From the New York Herald Tribune, Mar. 7, 1965]

THE NEED FOR SHADOW GOVERNMENT

(By JOHN V. LINDSAY)

Politics, according to the old aphorism, is the art of the possible. And so it is, but as important as it is for reasonable men to make reasonable compromises, it is equally important to maintain a continuing questioning of established policies and a continuing inquiry into future requirements.

These functions of criticism and creativity are the proper responsibility of the party out of power. A political opposition which fails of them, contenting itself with negative carping or simply bland acquiescence to the policies of the majority party, is failing of its foremost responsibility to itself, to its supporters and to the American people as a whole. The function of the opposition is to oppose selectively, responsibly, and creatively. Each time a member of the minority party criticizes the policies of the current administration, his criticism should express not only his view of what is being done badly but also his view of how it can be done better or of what should be done that is not being done. A creative opposition, in short, appeals to the public mind and imagination by raising compelling policy alternatives.

The Republican Party has not always been able to meet this responsibility to the extent that it can and should. To a great extent, the lack of inspiration in much of the Republican performance in Congress is not the fault of the minority party itself. In the House of Representatives the Republicans have been handicapped by the refusal of the Democratic majority to allow them sufficient staff assistance—which is absolutely essential for the analysis of highly complex legislation. The procedures of acquiring information through committee hearings are haphazard, disorganized and, in many instances, subject to the whims and eccentricities of a few members who hold positions of special power.

As a result of these and other shortcomings in the exploration of vital policy matters, the Congress has largely abdicated to the press a predominant role in the shaping of issues. The Congress in recent years has seemed willing to denigrate its own role in the formulation, discussion, and criticism of public policy. And within the Congress the vital distinction between Government and opposition, proponent and critics, has become hopelessly blurred in the fragmentation of issues and alignments.

I do not believe that the kind of highly disciplined, ideological parties which exist in certain parliamentary systems could function in so heterogeneous a society as the United States. But I do think that certain practices of parliamentary systems can be usefully studied with a view of their possible adaptation to the American legislative system.

I think it possible, for example, that a great deal might be gained by the adoption—or at least the experimental adoption—by our Congress of the British practice of holding regular question and answer sessions in the House of Commons, during which members of the government, including the Prime Minister, submit to intense and systematic questioning by members of the opposition.

The effect of the question hour is to compel both those in power and those out of power to think carefully and coherently about major issues of public policy. Questions—and criticisms in the form of questions—are put to the Government primarily by the members of the "shadow cabinet"—the leaders of the opposition, that is, who would constitute the Cabinet were their party in office. The result of this practice is a continuing interchange of questions, suggestions and criticisms between the leaders of the Government and their counterparts in the opposition.

The entire system depends, of course, on the existence of the "shadow cabinet." It complements the actual responsibility of the Government with the potential responsibility of the opposition, showing the people exactly, or almost exactly, where responsibility would be if the minority party were put in power. The "shadow cabinet" system does not of course guarantee responsible and creative opposition, but it provides a foundation for it, for which there is no counterpart in the United States. Recently in the Congress, I proposed that the rules of the House of Representatives be changed immediately to permit the Secretary of State on the floors of the House and Senate on a regular basis to answer questions. The importance of this is highlighted by the absence of clear policy in Vietnam, Europe, and other changing and sensitive spots. One function of a constructive opposition is to force the government to state its policy.

An American "shadow cabinet" could not, of course, consist of those individuals who would hold Cabinet posts if the minority party were to come to power, because under our system members of the Cabinet are not Members of the Legislature, as they are in the United Kingdom, but are appointed by and responsible to the President. Their identity cannot therefore be known until a President has been elected and has chosen them. There is no reason, however, why the functions of a "shadow cabinet" could not be performed by appropriate members of the minority party in Congress. The party could designate one of its acknowledged congressional experts in foreign affairs, for example, to serve as its "shadow cabinet" spokesman on foreign policy, its leading student of military problems to serve as its "shadow" secretary of defense, and so on.

For such an arrangement to work, it would be essential that members of the Cabinet and other executive officials appear before the Senate and the House for frequent and regularly scheduled question hours. This would make it possible, as appearances before congressional committees do not, for the entire membership of the two Houses to explore important policy issues directly with the executive branch of the Government, and, in so doing, would provide a wholly new form for public education and participation in the shaping of policy. Such an arrangement, in my opinion, would neither negate nor fundamentally alter the separation of powers, but would simply serve to open a new channel of communication and understanding between the executive and legislative branches of the Government.

Another felicitous possibility in the creation of a "shadow cabinet" and a regularly scheduled question hour is that their effective use might well recover for Congress the power to raise and define issues and to float new ideas, a power now largely passed to the press. The proper center for a continuing serious dialog on public policy is the Congress; to the extent that the press has taken over this function, it is because the Congress has abdicated it.

The major purpose of a "shadow cabinet" arrangement adapted to the American congressional system would be the encouragement of a more vigorous and creative political opposition. It would be essential, therefore, that the innovation be accompanied by provisions for greatly expanded expert

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staff assistance for the minority—which, in fact, is urgently needed under any circumstances. For the past 3 years I have served as a member of a small congressional committee, headed by Representative Fred Schwenkel, of Iowa, which has been studying the staff needs of the minority party in Congress. It is clear from the inquiries we have made that the need for greatly expanded minority staff assistance can hardly be overstated.

Just as a "shadow cabinet" system might serve a valuable purpose in the Federal Government, it might also be a healthy innovation in New York City. There are enormous resources of unused human talent in New York. The city has a great many men and women who are well qualified in various aspects of municipal affairs and whose talents could readily be made available to a municipal "shadow cabinet." It is unfortunate and discouraging that the Republican organization in the city has never been willing to mount a vigorous and creative opposition, as well it could by drawing on the many qualified individuals available and willing to serve if only they are asked.

A municipal "shadow cabinet" might be expected to study, criticize, and offer proposals on every aspect of city affairs: housing, schools, police, parks and playgrounds, air and water pollution, traffic, sanitation, trade and commerce, cultural affairs, amusements, taxes, and real estate. Municipal government, like National Government, functions well only when it is held to account by a vigorous, responsible, and creative opposition, one which does not hesitate to criticize but does not do so without suggesting alternative lines of action, and one which extends its proposals to future opportunities as well as present necessities.

A shadow opposition should consist mainly of independent citizens not generally connected with the regular organization of the opposition party. It should be structured in an organized fashion, manned sufficiently to have a staff and be a catalyst for the political machinery, which is too often content to do nothing in New York City. It would be made up of persons highly knowledgeable and strongly identified with each area of municipal activity. Above all, it should have those professionally expert planners who already exist and who are concerned with New York.

A New York City shadow government should be financed the same way the Republican Party is financed, by private and public appeals. It should not be financed out of public funds, because then it would have the appearance, if not the substance, of paid silence.

The regular party machine, sadly enough, does not have the caliber or energy in it at the present moment to take on the job in proper fashion. In theory it should, but as a practical matter the machinery is not healthy enough to produce such an effort. Hopefully this will change.

A democratic society needs vigorous debate on public policy at every level. No government, of either party, at any level, of whatever composition, can safely be left to govern without counsel and criticism from a vigorous opposition. I believe that the creation, or at least experimentation with, a "shadow cabinet" system could contribute to the encouragement of creative opposition at every level of American government. There are, of course, many other methods by which this objective can be pursued, and when all is said and done, no institutional arrangements, no matter how ingeniously contrived, will substitute for competent, responsible officeholders and vigorous, enlightened public opinion.

At this time, however, I believe that the Republican Party could, with great benefit both to itself and to the country, organize

"shadow cabinets" at the National and State and local levels of government, and certainly in New York City. It should at the same time call for the institutional innovations, notably the introduction of regular legislative question and answer periods, necessary for the effective operation of a system of "shadow cabinets." In so doing, the Republican Party should be acting in full consonance with its own best traditions: wisdom and effectiveness in power and responsibility and creativity in opposition.

ceive detailed information from the administration regarding U.S. policy. The maintenance of effective communications between the executive and legislative branches has been a persistent problem.

A more direct link between the representatives of the American people and the executive has been lacking in the American political system—a link which could provide responsible and elevated debate on great foreign policy questions in a bipartisan spirit.

A regular exchange of this character in the well of the House would at the least illuminate the truth of where our foreign policy is heading. It could test—in a way not now possible—the principles and the soundness of foreign policy, and policies in turn could receive a public sanction which could help undergird the national will.

While under our Constitution the President is responsible for foreign policy, clear congressional debate on the broadest stage could have a complementary and larger place.

Adoption of this resolution would serve the administration, the Department of State, the Congress, and the people—

A question period would enable the administration to expound its foreign policy to the public. Congressional committee hearings, while valuable and necessary for in-depth inquiries on a variety of subjects, do not afford the administration a broad public audience;

A question period would enable the State Department to benefit from a sense of liability of prompt and public explanation;

A question period would enable Members of the Congress, as popularly elected guardians of the public trust, to secure and consider prompt and authoritative information on America's foreign relations; and

A question period would enable the people to have the utmost confidence in their Government by facilitating the flow of information between the administration and the public. To the extent that the Presidential Press Conference does not fully fill this need, a question period in the Congress may be an important complement to it.

The great Republican Secretary of State, Elihu Root, writing in 1935, best expressed the values which could be served by adoption of our resolution:

It has long seemed clear to me that we ought to have some arrangement under which Congress would have the benefit of more prompt and authoritative information as to the action of the executive department.

On the other hand, I think that a sense of liability of prompt explanation has a very good effect upon the head and the leading members of an executive department.

Mr. Speaker, the intense consideration of foreign affairs by the Congress and the House of Representatives is not new. In recent years congressional resolutions have, in fact, helped to define American foreign policy. The resolution on Formosa in 1955, the resolution on the Middle East in 1957, and the resolution on Berlin in 1962 all became vitally important statements of the U.S. position.

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The congressional resolution on Vietnam, passed last August 10, has been cited by the administration time and again as the authority behind U.S. policy decisions. Last August, during debate on that resolution, the Congress and the executive branch took seriously the congressional responsibility to participate in the careful consideration of U.S. policy. They should continue to take that responsibility seriously by permitting the Secretary of State to answer questions on Vietnam and other crisis areas on the floor of the House.

**SUBCOMMITTEES AND AGENDA,
HOUSE SMALL BUSINESS COMMITTEE**

(Mr. EVINS of Tennessee asked and was given permission to extend his remarks at this point in the RECORD and to include a subcommittee list and agenda.)

Mr. EVINS of Tennessee. Mr. Speaker, the House Small Business Committee in a recent organizational meeting adopted an agenda for the 89th Congress and appointed seven subcommittees to assist the full committee in conducting the various hearings and investigations which the committee plans to undertake during the next 2 years.

In this connection, Mr. Speaker, I include a summary of this agenda and a listing of the subcommittees, together with their jurisdiction.

The full committee will conduct hearings on the decentralization plan of the Small Business Administration, on the temporary curtailment of SBA loan programs, and on various new proposed SBA programs. The full committee will also study methods by which the small business investment program regulated by SBA can be used to supplement, promote, and encourage economic growth.

Subcommittee No. 1, under the chairmanship of Representative WRIGHT PATMAN, Democrat, of Texas, will continue its study of "Foundations: Their Impact on Small Business."

Subcommittee No. 2, under the chairmanship of Representative ABRAHAM J. MULTER, Democrat, of New York, will inquire into procurement practices applied by the various agencies, and in addition, develop information regarding the amount of subcontracts and purchases placed with small business by the country's largest manufacturing organizations.

Subcommittee No. 3, under the chairmanship of Representative TOM STEED, Democrat, of Oklahoma, will seek to bring about a clarification and simplification of the Internal Revenue Code relating to taxation of small business corporations and partnerships. This taxation subcommittee also may inquire into the reasons why small business has not made greater use of the new depreciation guidelines.

Subcommittee No. 4, under the chairmanship of Representative JAMES ROOSEVELT, Democrat, of California, will investigate problems associated with dual distribution, a practice which appears to permeate more industries each day.

Subcommittee No. 5, under the chairmanship of Representative JOHN C.

KLUCZYNISKI, Democrat, of Illinois—the Subcommittee on Small Business Problems in Urban Areas—will seek to find methods whereby small businesses in urban areas can be strengthened so as to encourage the improvements and developments contemplated by President Johnson in his recent message on cities and metropolitan areas of our country.

Subcommittee No. 6 on regulatory and enforcement agencies, under the chairmanship of Representative JOHN D. DINGELL, Democrat, of Michigan, will look into the activities of monopolies and corporate giants in competition with small business. This subcommittee also will give attention to television advertising pricing as it relates to small business, and make a study of franchising, both as an avenue for small business development and as an instrument for small business domination.

In addition to the committee's six regular subcommittees and in response to the urgent requests of numerous Members of the House and hundreds of local independent dairies located throughout the United States, a special subcommittee, under the chairmanship of Representative NEAL SMITH, Democrat, of Iowa, has been established to deal exclusively with small business problems in the dairy industry. This subcommittee will conduct investigations and, if necessary, hold hearings to determine whether large dairies are taking unfair competitive advantage of smaller operators.

The subcommittee memberships are as follows:

Foundations: Their Impact on Small Business: Representative WRIGHT PATMAN, Democrat, of Texas, chairman; Representative JAMES ROOSEVELT, Democrat, of California; Representative CHARLES L. WELTNER, Democrat, of Georgia; Representative RALPH HARVEY, Republican, of Indiana; Representative H. ALLEN SMITH, Republican, of California.

Small Business and Government Procurement: Representative ABRAHAM J. MULTER, Democrat, of New York, chairman; Representative TOM STEED, Democrat, of Oklahoma; Representative JAMES ROOSEVELT, Democrat, of California; Representative H. ALLEN SMITH, Republican, of California; Representative SILVIO O. CONTE, Republican, of Massachusetts.

Taxation: Representative TOM STEED, Democrat, of Oklahoma, chairman; Representative ABRAHAM J. MULTER, Democrat, of New York; Representative NEAL SMITH, Democrat, of Iowa; Representative JAMES T. BROYHILL, Republican, of North Carolina; Representative SILVIO O. CONTE, Republican, of Massachusetts.

Distribution Problems Affecting Small Business: Representative JAMES ROOSEVELT, Democrat, of California, chairman; Representative JOHN C. KLUCZYNISKI, Democrat, of Illinois; Representative JOHN D. DINGELL, Democrat, of Michigan; Representative ARCH A. MOORE, JR., Republican, of West Virginia; Representative FRANK J. HORTON, Republican, of New York.

Small Business Problems in Urban Areas: Representative JOHN C. KLUCZYNISKI, Democrat, of Illinois, chairman;

Representative ABRAHAM J. MULTER, Democrat, of New York; Representative CHARLES L. WELTNER, Democrat, of Georgia; Representative RALPH HARVEY, Republican, of Indiana; Representative FRANK J. HORTON, Republican, of New York.

Activities of Regulatory and Enforcement Agencies Relating to Small Business: Representative JOHN D. DINGELL, Democrat, of Michigan, chairman; Representative NEAL SMITH, Democrat, of Iowa; Representative CHARLES L. WELTNER, Democrat, of Georgia; Representative SILVIO O. CONTE, Republican, of Massachusetts; Representative JAMES T. BROYHILL, Republican, of North Carolina.

Small Business Problems in the Dairy Industry: Representative NEAL SMITH, Democrat, of Iowa, chairman; Representative TOM STEED, Democrat, of Oklahoma; Representative JOHN DINGELL, Democrat, of Michigan; Representative FRANK J. HORTON, Republican, of New York; Representative JAMES T. BROYHILL, Republican, of North Carolina.

Representative JOE L. EVINS, Democrat, of Tennessee, chairman of the full committee, and Representative ARCH A. MOORE, JR., Republican, of West Virginia, ranking minority member, are ex officio members of all subcommittees.

HORTON MILK PROMOTION BILL

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, today I have introduced a bill which seeks to provide authority for milk producers to support promotion, advertising, and nutritional and economic research of milk and dairy products through a Federal marketing order.

My bill would amend the Agricultural Marketing Agreement Act of 1937 to permit dairy farmers operating under Federal milk marketing orders to raise funds by uniform deductions from their milk checks. In other words, dairy farmers would be using their own money to sell their own products.

Similar programs are available to farmers in other segments of the agricultural industry. For example, there exists a program to develop and conduct advertising and sales promotion programs for wool, mohair, sheep and goats under the National Wool Act of 1954. As would be the case under my bill, deductions from amounts due producers are made to finance advertising and promotion programs.

Although there are advertising and sales promotion programs presently in effect in the dairy industry, dairy farmers feel that the full potentiality of these programs has not been realized due to the fact that only a fractional part of the producers are involved in the program. This measure would establish permissive authority through which milk producers under any Federal milk marketing order could make research promotion and advertising programs marketwide if approved by two-thirds of the producers voting in referendum called to consider

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Mr. HOLLAND. Mr. President, first let me express my very sincere thanks to the Senator from West Virginia for his kind references to me. It just so happens that the problem first hit my State, because we were in heavy production in some of our most perishable agricultural industries on January 1, when this crusade of the Secretary of Labor, Mr. Wirtz, was begun.

Let me say to the Senator from West Virginia that I well know the situation confronting the able producers of his State. As the Senator from West Virginia knows, I am familiar with that area of his State. It so happens that my mother went to Florida from the State of West Virginia, and I have been visiting in the apple-producing area of his State for a good many years. I believe that one of the last experiences I had there was in his good company when we went over to Moorefield in West Virginia.

The fact is, ladder men are hard to find. These are men who operate ladders in the picking of fruit such as avocados and citrus fruits in Florida, and such as the Senator from West Virginia spoke of in his good State, and also in the State of Virginia and other States in the Appalachian region, in apple orchards as far north as our country goes, because the State of Vermont—which is so ably represented by the distinguished senior Senator from Vermont [Mr. ARKEN], whom I see in the Chamber—also has the problem of finding good ladder men.

Over a period of years, we have discovered that although we produce a good many ladder men of our own, there are a great many whom we have brought in from the Caribbean area, and the fact remains that we have never found enough to handle our own citrus crops.

That same fact applies when we take into consideration the combined needs of the various apple orchards which mature their fruit at about the same time, from north Georgia up into Pennsylvania in the upper part of the belt, from there on up to the Canadian border. I know that the Senator is correct in his statement that periodically, from year to year, the producers have had to rely upon the supplemental ladder men, pickers of fruit, whom we have brought in, in the first instance, and who have remained in this country to pick other fruit crops as the seasons move up the seaboard.

Let me say once more to the Senator from West Virginia that I appreciate very much what he said, which points up the fact what we have repeatedly brought out on the floor of the Senate, that here is a national problem which must be solved.

I agree with the Senator from West Virginia that we should use every domestic workman who is willing and able to perform this kind of work.

We have been required to recruit labor this year as far north as Pennsylvania, and as far west as Missouri. We have recruited workers from both States. But when we have recruited them all, we still find a shortage in our labor force of approximately 200,000 which has to be met in the skilled fields of ladder men and

canecutters and avocado and fruitpickers. They have to use ladders approximately 60 feet in length, and we have had to go to the offshore islands to get these ladder men.

I hope that the Senator from West Virginia will be successful in his efforts. I welcome his addition to our group, which is trying to get reason to prevail.

It is completely false for anyone to assume that we would not prefer domestic labor, because of course we would; but the idea that unemployed workers, just because they are unemployed in some other part of the Nation, are themselves skilled in the specialized tasks which are needed in areas where perishable crops are produced, and which have to be harvested when they are ripe, is a fallacious idea on the face of it.

I certainly hope that the Senator from West Virginia will continue his good efforts. I know that they will add greatly to the effectiveness of the combined efforts of all of us working in this field.

I thank the Senator from West Virginia very much for bringing his points out so well.

Let me say that I have talked repeatedly with the Senator from Virginia [Mr. BYRD] who was mentioned by the Senator from West Virginia. The Senator from Virginia [Mr. BYRD] has the largest single planting of apples in West Virginia. He also has a larger planting of apples, as I understand it, in his own State of Virginia.

Mr. RANDOLPH. The better apples, however, come from West Virginia.

Mr. HOLLAND. That is a matter which the Senator from West Virginia can debate with the Senator from Virginia [Mr. BYRD]. He can argue with the Senator from Virginia about that. That is a point I would not wish to decide. I have eaten delicious apples from both States.

However, he prefers not to take part in this argument, not because he is not directly and fundamentally interested, but because he is so much interested, and he has asked me that he be excused from appearing, for the very reason that he uses some hundreds of offshore pickers in the picking of his own fruit.

I am glad the distinguished Senator from West Virginia has brought him into this picture, because he is vitally concerned. I do not know how he would be able to pick his fruit unless he had the use of this force. I thank the Senator from West Virginia, and I encourage him in the further use of his good right arm.

Mr. RANDOLPH. Mr. President, this is another indication of the persuasiveness of the Senator from Florida, and we are grateful for his presentation of this problem.

AMENDMENT OF ARMS CONTROL
AND DISARMAMENT ACT

The Senate resumed the consideration of the bill (H.R. 2998) to amend the Arms Control and Disarmament Act, as amended.

The PRESIDING OFFICER. The bill having been read the third time, the

question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished Senator from Louisiana [Mr. ELLENDER]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHEL], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from South Carolina [Mr. JOHNSTON], the Senator from Washington [Mr. MAGNUSON], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Minnesota [Mr. MONDALE], and the Senator from Connecticut [Mr. RIBICOFF] are necessarily absent.

I further announce that the Senator from Georgia [Mr. RUSSELL] is absent because of illness.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MONDALE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. PROUTY] is necessarily absent.

The Senator from Colorado [Mr. DOMINICK] is detained on official business.

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 74, nays 11, as follows:

[No. 35 Leg.]

YEAS—74

Aiken	Gore	Montoya
Allott	Gruening	Morse
Anderson	Harris	Morton
Bartlett	Hart	Moss
Bass	Hartke	Mundt
Bayh	Hayden	Muskie
Bennett	Hickenlooper	Nelson
Bible	Hill	Neuberger
Boggs	Holland	Pastore
Brewster	Inouye	Pearson
Byrd, W. Va.	Jackson	Pell
Cannon	Javits	Proxmire
Carlson	Jordan, N.C.	Randolph
Case	Jordan, Idaho	Saltonstall
Church	Kennedy, N.Y.	Scott
Clark	Kuchel	Smith
Cooper	Long, Mo.	Sparkman
Cotton	Long, La.	Stennis
Dirksen	McCarthy	Symington
Dodd	McGee	Tydings
Douglas	McGovern	Williams, Del.
Fannin	McNamara	Yarborough
Fong	Metcalf	Young, N. Dak.
Fulbright	Miller	Young, Ohio
	Monroney	

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NAYS—11

Byrd, Va.	McClellan	Talmadge
Curtis	Murphy	Thurmond
Eastland	Robertson	Tower
	Simpson	

NOT VOTING—15

Burdick	Lausche	Prouty
Dominick	Magnuson	Ribicoff
Ellender	Mansfield	Russell
Johnston	McIntyre	Smathers
Kennedy, Mass.	Mondale	Williams, N.J.

So the bill (H.R. 2998) was passed.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended so as to read: "An Act to amend the Arms Control and Disarmament Act, as amended, in order to continue the authorization for appropriations."

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the bill be printed with the Senate amendment.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. FULBRIGHT. I move that the Senate insist upon its amendment and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. HICKENLOOPER, and Mr. AIKEN conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the majority leader about the program for tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, it is anticipated that Senate bill 510, the Community Health Services Extension bill, which has been reported from the committee, and on which a report will be filed and ready, will be the business tomorrow. There may be some nominations. There will be some speeches. Then it is anticipated that there will be an adjournment from tomorrow until Monday at noon.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight that it stand in adjournment until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair announces that pursuant to Public Law 86, the Chair appoints Senators ERVIN, MUSKIE, and MUNDT as members of the Commission on Intergovernmental Relations.

VIEWS OF PROFESSORS ON VIETNAM

Mr. MORSE. Mr. President, I received a letter from Prof. Myron J. Gordon, chairman of the Rochester Area Professors' Ad Hoc Committee on Vietnam. The letter reads as follows:

DEAR SENATOR MORSE: I am sure you will be interested in the expression of opinion on the Vietnamese situation contained in the enclosed open letter to President Johnson, which appeared as an advertisement in the Rochester (N.Y.) Democrat and Chronicle of March 7, 1965, and which was signed by 118 Rochester area professors.

I would like to take this opportunity to thank you for your great efforts to secure a peaceful solution to the war in Vietnam.

Sincerely,

MYRON J. GORDON,
Chairman, Rochester Area Professors'
Ad Hoc Committee on Vietnam.

Mr. President, I ask unanimous consent that the open letter, which is signed by 118 professors, written to President Johnson, on the subject of Vietnam, entitled "Peace Through Negotiations" be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the Record, as follows:

AN OPEN LETTER TO PRESIDENT JOHNSON ON VIETNAM—PEACE THROUGH NEGOTIATIONS

We are cheered by the news that England, France, Russia, U.N. Secretary General U Thant, and the Vatican are all pressing for an international conference to negotiate a settlement of the conflict in Vietnam, and we strongly urge you to cooperate with these efforts to achieve peace.

In negotiating the terms under which we would withdraw from Vietnam we ask you to bear in mind that the people of South Vietnam have been suffering the agonies of war and civil war for over 20 years and that recent events make it clear that the only alternative to a negotiated peace is the risking of a nuclear holocaust through escalation of the war.

We find considerable merit in and urge your serious consideration of the following remarks on our Vietnam policy which appeared in the February 16, 1965, issue of the New York Times as an advertisement signed by over 400 professors.

"Each day we hear fresh news from Vietnam, news both strange and grim. We strike by air in reprisal against North Vietnam because our soldiers, sent as armed technicians and advisers to an army which cannot yet guard them well, have been attacked in their barracks in the very heart of South Vietnam. We have widened the war—how wide will it become?

"Fear of escalation of this undeclared war against North Vietnam mounts with each sudden report of renewed violence. Unless the situation is very different from what it appears to be, we have lost the political initiative in Vietnam and are attempting to substitute military actions for political ones. We face grave risks in Vietnam. Americans have faced even graver risks for good and high cause, Mr. President, but we must first understand why we must take such risks. What are our goals in Vietnam? Are they just? Can they be accomplished? Are they truly worth what they are bound to cost in dollars and human lives?

"With whom are we allied in Vietnam? Are our soldiers fighting side by side with troops of a representative and legitimate national Government, or are we embroiled in defense of an unpopular minority in a fierce and costly civil war? Our representatives assure us that we and the Saigon Gov-

ernment have the overwhelming support of the Vietnamese people. How can this be so? On the same day that Mr. McNamara said sneak attacks upon our soldiers cannot be prevented, an American officer on the scene in Vietnam declared that 'any of the people in the hamlet over there could have warned us that the Vietcong were around, but they did not warn us.' The weapons used against us are most often American weapons, captured from or surrendered by the South Vietnamese army. Mr. President, we submit that weak field intelligence in South Vietnam and a steady loss of workable weapons to the enemy, are deep symptoms of an unpopular cause.

"Why are we fighting in Vietnam? Mr. President, we think we understand why we went into Vietnam after the French withdrew. It was because this Nation hoped to encourage the development of a popular, stable, and democratic government which would help to lead all southeast Asia toward lasting peace. Historical, political, social, religious, and sectional factors have prevented this development. The original assumptions are no longer valid. We have become increasingly unwelcome everywhere in southeast Asia. Our presence seems to deepen, rather than to relieve, the bitterness and hostility of the people. It was only 10 years ago that the Vietnamese defeated a French Army of nearly half a million men. Will the same battles occur again?

"Can we win in Vietnam? Mr. President, we know that our Nation has sufficient fire-power to destroy the entire world. We also know that you do not wish to call upon this awesome power. How can we possibly win and yet prevent a widening of this conflict? How can we win in Vietnam with less than 30,000 'advisers' when the French could not win with an army of nearly half a million fighting both north and south of the present dividing frontier?

"Is it worth the cost? The French defeat in Indochina cost them 172,000 casualties. Yet, before their final bloody defeat in Dien-bienphu, the French generals and diplomats spoke with the same toughness and optimism, the same assurances we now hear from our leaders.

"The French had overwhelming numbers and fire-power but they lost in Vietnam because they lacked the support of the population. Do we face the same prospect, or are there facts which the public does not know which show our situation to be clearly different?

"Mr. President, we are aware that you have secret information which cannot be shared with us. But could such information completely refute the picture of events and the political insights provided to us by serious newspapermen who have been in the area for years?

"All we can see is a seemingly endless series of demonstrations and riots in Saigon and Hue, of military coups, of threats and challenges to the dignity of our Ambassador and our other representatives by the very men we seek to sustain in power.

"We have lost the initiative in Vietnam. A few guerrillas can trigger American reactions that widen the war. The events of the past week are leading step by step along the path to war with China.

"Would it not be both prudent and just to take the initiative toward peace in Vietnam? If we are not to widen the war beyond all conscience, as reasonable men we must initiate negotiations while there is still time."

SUNY, Brockport: Stephen B. Bird, English; Lucille H. Bush, administration; Edward R. Cain, political science; John R. Crowley, English; Kaarlo Filppu, economics; Leslie G. Gale, sociology; James A. Rhody, English; David S. Tillson, anthropology; Dorothy V. Waterman, administration; Ernst A. Wiener, sociology.

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Colgate-Rochester Divinity School: James B. Ashbrook, theology; V. E. Devadutt, theology; Robert Eads, religion and education; William I. Elliott, theology; George Hall, ethics; William Hamilton, theology; Harmon R. Holcomb, philosophy of religion; R. Lewis Johnson, Christian education; Prentiss Pemberton, social ethics; J. A. Sanders, Old Testament; John Charles Wynn, church education.

SUNY, Geneseo: Jay Arnold, art; William R. Berry, speech; Randall Brune, English; Gilbert R. Davis, English; Henry M. Holland, Jr., political science; Barbara Hull, English; Donald O. Innis, geography; William Melvin Kelley, English; Dwight D. Khoury, foreign languages; Emanuel Mussman, English; Jerome J. Nadelhaft, history; Ruth Nadelhaft, English; Gifford J. Orwen, languages; Leo Rockas, English; William H. Slavick, English; Gerald Smith, English; Marian Wozenraft, education.

Monroe Community College: Thomas A. Fabiano, history; Lewis Lansky, history; George McDade, English; Robert B. Nemon, mathematics and physics; Charles H. Speirs, library; Carl A. Talbot, library; Judith J. Toler, English; Barbara A. Welch, English.

Rochester Institute of Technology: Ralph E. Adams, English; Leonard Barkin, art and design; Janet Bickal, English; Robert Bickal, English; Jean H. Cardinal, sociology; Sam G. Collins, geology; Robert A. Conge, art; Norman Coombs, history; Dane R. Gordon, philosophy; Frances Hamlin, philosophy; William J. Hayles, chemistry; Ronald J. Hilton, English; John H. Humphries, social science; Robert G. Koch, English; Paul E. Le Van, psychology; Richard D. Lunt, history; Frederick R. Meyer, art and design; Pellegrino Nazzaro, history; Thomas J. O'Brien, English; Joseph Schafer, history; Norris M. Shea, language; Larry Wright, philosophy.

St. John Fisher College: Peter E. Sheehan, theology.

University of Rochester: Loren Baritz, history; Ralph Barocas, psychology; George Berg, radiation biology; Daniel C. Broida, psychology; Michael Cherniavsky, history; John B. Christopher, history; Julius J. Cohen, physiology; Emory L. Cowen, psychology; John C. Donovan, obstetrics and gynecology; John Ernest, mathematics; Joseph Frank, English; Alfred Geier, foreign and comparative literature; Albert Gold, optics; Richard M. Gollin, English; Myron J. Gordon, business administration; Harry E. Gove, physics and astronomy; Grace Harris, religion; Richard M. Harris, language and linguistics; Norman I. Harway, psychiatry; Michio Hatanaka, economics; Robert B. Hinman, English; Harold C. Hodge, pharmacology; Robert L. Holmes, philosophy; Frances Horler, education; Howard C. Horsford, English; John B. Hursh, radiobiology; Gilbert Kilpack, humanities; William D. Lotspeich, physiology; Abraham A. Lurie, anesthesiology; Melvin R. Marks, business administration; Dean A. Miller, history; Sidney Monas, history; William B. Muchmore, biology; E. S. Nasset, physiology; Helen H. Nowlis, psychology; Vincent Nowlis, psychology; Bernard J. Panner, pathology; J. C. Peskin, optics; Lawrence G. Ralsz, pharmacology; Arnold W. Ravin, biology; A. William Salomone, history; Leonard S. Simon, business administration; Dorothy Stone, mathematics; Francis Tursi, music; Kurt Weinberg, foreign and comparative literature; Donald F. White, music; Hayden V. White, history; Henry Wood, foreign language and literature; Melvin Zax, psychology. (Institutional affiliation for purposes of identification only.)

This open letter is being published as an advertisement paid for by the signers. If you approve of this statement, write or wire President Lyndon B. Johnson, White House, Washington, D.C.

Rochester Area Professors' Ad Hoc Committee on Vietnam, Post Office Box 3884, Brighton Post Office, Rochester, N.Y., Myron J. Gordon, chairman.

with Hawk missiles to protect our airfields. His critics would claim he was escalating the war, but Goldwater would deny it. Instead, he would bomb supply routes in Laos and Cambodia.

To explain these desperate actions, Goldwater would have the Defense and State Departments produce a white paper justifying the attacks and proving that Hanoi was responsible for the revolution in South Vietnam. He would insist we had to support the Saigon generals, no matter how shaky they were.

The paper would be followed by more air strikes using South Vietnamese planes as well as American B-57's.

The people who voted for Johnson would scream at their Republican friends. "I told you if Goldwater became President he'd get us into a war." But the Republicans would claim that Goldwater had no choice, that he, in fact, inherited the Vietnam problem from the Democrats and, if he didn't take a strong stand now, America would be considered a paper tiger.

It all seems farfetched when you read it and I may have let my imagination run away with itself, because even Barry Goldwater, had he become President, wouldn't have gone so far.

But fortunately, with President Johnson at the helm, we don't even have to think about it.

ADDRESS BY ASSOCIATE JUSTICE WILLIAM O. DOUGLAS BEFORE AMERICAN FOREIGN LAW ASSOCIATION

Mr. MORSE. Mr. President, on February 1, 1965, Associate Justice of the Supreme Court William O. Douglas made a brilliant speech, as he always does when he speaks, before the American Foreign Law Association, of New York City. It was a speech in which he discussed the role of law in foreign relations as a substitute for the course of action that is being followed by the United States and many other nations in the field of foreign policy. I ask unanimous consent that the speech be printed at this point in my remarks, to be followed by certain comments that I wish to make on it.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY WILLIAM O. DOUGLAS, ASSOCIATE JUSTICE, U.S. SUPREME COURT, TO THE AMERICAN FOREIGN LAW ASSOCIATION, INC., NEW YORK, N.Y., FEBRUARY 1, 1965

While there has been much talk over the years about peace, I suspect that some in this country are talking about a Pax Americana. Certain it is that many in Russia and Peking who speak about it are talking about a Russian or a Chinese peace, as the case may be. It is to the credit of the legal profession that men of wider vision have emerged who think of the rule of law in world affairs in terms of a consensus that crosses ideological lines and provides means of settlement of disputes, big and small, between the great powers as well as those with lesser stature.

The Americans we should honor include Greenville Clark of the New York Bar and Louis B. Sohn of Harvard; Robert M. Hutchins; Arthur Larsen of Duke University; Charles S. Rhyne who gathered the great support of the American Bar Association to this project; Earl Warren, the Chief Justice of the United States; Henry R. Luce of Time

ART BUCHWALD ON "PRESIDENT GOLDWATER"

Mr. MORSE. Mr. President, yesterday a very interesting but satirical article by Art Buchwald on the general subject of what would have happened if Goldwater had been elected President was published in the Washington Post. In his article Art Buchwald discusses what the Goldwater program would have been had Goldwater been elected President. It is a knowledgeable article. I always like satire. The only conclusion one could reach is that Goldwater would not have gone as far as Johnson in making war in southeast Asia. I believe more and more people in the country are beginning to realize that there is a marked difference between the President's speech in New Hampshire in September on the Vietnam issue and what the President has been doing since the election in making war.

I ask unanimous consent that the Buchwald article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPITOL PUNISHMENT: PRESIDENT GOLDWATER

(By Art Buchwald)

Every once in a while, when I have nothing better to do, I wonder what the country would be like if Barry M. Goldwater had been elected President of the United States. Based on his campaign and his speeches, it is a frightening thing to imagine.

The mind boggles when you think of it. For one thing, we would probably be bombing North Vietnam now if Goldwater were in office.

As I see it, this is what would have happened.

The Vietcong would have blown up an American barracks. Using this as an excuse, Goldwater would immediately call for a strike on military bases in North Vietnam and announced a new tit-for-tat policy. Democrats would be horrified and they would make speeches that Goldwater was "trigger happy" and was trying to get us into a war with Red China.

But Goldwater would ignore the criticism, and to show he meant business, he would continue the raids, using not only Air Force bombers, but also jets from the U.S. fleet. As time went on, the country would be shaken at the recklessness of Goldwater's plan, but he would explain through his Secretary of State that, instead of a tit-for-tat policy, we now intended to bomb North Vietnam in order to let Hanoi know that they could not support the Vietcong without expecting retaliation.

Senators would get up in Congress and call for some sort of negotiations. But Goldwater, with his lack of restraint, would retort that there is nothing to negotiate and we would only be selling out southeast Asia if we sat down at a table with the North Vietnamese and Red China.

The Soviet Union and France would call for a Geneva conference, but Goldwater would reject it.

Instead, he would recklessly announce that he was sending in a battalion of Marines

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and Life magazines; the late Senator Estes Kefauver; Senator WAYNE MORSE, of Oregon; and many others, including distinguished lawyers and jurists from those parts of America that lie both north and south of us.

There are, of course, lawyers, jurists, and public leaders in all lands on all the continents who have the same basic approach. One has only to thumb through the "World Peace Through Law" (1964), the publication containing the work of the Athens World Conference, to realize what a wide basis of support the rule of law has. And the Communist lands must not be left out of the accounting, though, putting Yugoslavia to one side, lawyers and jurists from those nations are less conspicuous and less articulate. The Western World, I believe, is closer to a consensus in this regard than is the Communist world. The reasons for this are numerous and varied. Some of them have to do with national history; some, perhaps, with ideology. But one does not have to look long to find significant proposals from the Communist side. One instance is the proposal made January 1, 1964, by Khrushchev that an international agreement be worked out renouncing the use of force for the solution of territorial disputes or questions of frontiers, that is to say, "an undertaking to settle all territorial disputes exclusively by peaceful means, such as negotiation, mediation, conciliatory procedure, and also other peaceful means at the choice of the parties concerned in accordance with the Charter of the United Nations." New York Times, January 4, 1964, page 2, column 8.

This proposal was heralded in the Western World as a piece of propaganda, though none can be sure that it was. It was such a significant proposal that instead of rejecting it out of hand, all those who really believe in the rule of law should eagerly propose its adoption. It might indeed be the beginning of an important bridge between East and West—a bridge leading to alternatives other than an awful confrontation in this nuclear age.

We Americans have enjoyed a history of security and success that has made us conscious of our strength and has given us perhaps a sense of superiority. On the other hand, Russia has repeatedly suffered massacre and destruction by invaders; and those experiences have made its people difficult to deal with by our standards. Yet by their standards "the illusion of American omnipotence"—to use Denis Brogan's phrase—has made us also difficult.

II

But times and attitudes change. The United Nations, which in 1945 was a Western-oriented institution of 51 nations, is now 115 strong, half of its seats being held by the nations of Africa and Asia. It has had notable achievements.

Its legislative functions have been marked by the outlawing of aggressive war and a rather steadfast adherence to that principled policy.

Its executive functions have been distinguished by an outstanding record of achievements of the Office of Secretary General.

Its administrative functions have been heroic, as only those who have traveled the wastelands of the earth know. There—and only there—can one see the critical contributions that the United Nations is making to solutions of the problems of the underdeveloped nations.

Its judicial functions have been badly crippled by our own Connally amendment (61 Stat. 1218) which other countries copied. The crippling effect is in that part of the proviso which excludes from the Court's jurisdiction "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America."

As Senator MORSE said in the debate on the Connally amendment, "the rule of law cannot be established if the various States reserve to themselves the right to decide what the law is." (92 CONGRESSIONAL RECORD, pt. 8, p. 10684.) And he added, "It is in effect, a political veto on questions of a judicial character * * *. It therefore involves the question of our moral leadership in the world." And see Sohn, "International Tribunals: Past, Present, and Future," 46 A.B.A.J. 23, 25.

Under the principle of reciprocity which the Court enforces, the "political veto" works both ways: a nation that does not accept compulsory jurisdiction can, when sued, refuse to submit; a state which that nation wants to sue can claim reciprocal protection by invoking the plaintiff nation's reservation, even though it has made no such reservation itself. See *Case of Certain Norwegian Loans*, 1957 ICJ, page 9.

The International Court of Justice, which should be one of the busiest tribunals in the world in light of the mounting problems among nations, is only nominally active, as the following statistics show:

	Judgments rendered	Advisory opinions	Cases on docket
1960	2	1	4
1961	1	—	4
1962	1	1	3
1963	1	—	2

We should be willing to lead the way in making acceptance of the Court unconditional. That would mark the beginning of a new cooperative society at the world level.

The Court is an honored institution. The statute of the Court (18 UNIO docs., 1945, pp. 355-364) has safeguards designed to insure the independence of the judges. They are not mere nominees of the governments of their countries. They are nominated by national groups of jurists (art. 4). No national group may nominate more than four persons, and of these four not more than two shall be of its nationality (art. 5). From this list the General Assembly and the Security Council proceed independently to elect the judges (art. 8). Those who obtain an absolute majority of votes both in the General Assembly and in the Security Council are elected (art. 10).

No member of the Court may exercise any political or administrative function or engage in any other occupation of a professional nature (art. 16). Nor may he act as agent, counsel, or advocate in any case, nor take part in any decision in which he has previously participated as agent or advocate or as member of any other court or commission (art. 17).

The fact that a judge is of the same nationality as one of the parties does not result in his disqualification (art. 31). Indeed, if the membership of the Court includes no judge of the nationality of one or more of the parties, the party who wants national representation has a right to select an ad hoc judge (art. 31).

These latter provisions have often been criticized. But in this stage of development of the world community, it probably would be impossible to get a consensus that would disqualify a judge of the nationality of one or more of the parties. * * * The notion of "national arbitrators" is deeply rooted in the practice of international arbitration, and indeed the facility to appoint them is probably a sine qua non for the success of the whole idea. The important thing for insuring third-party judgment is not that national arbitrators or judges should disappear, but that the balance in the tribunal should be held by neutral judges. This is the conception which has been incorporated in the statute, for in practice the decision is not likely to be influenced by the views of the

judges having the nationality of the parties who, in the nature of things, tend to cancel each other out." Rosenne, ("The World Court" (1962), p. 64.)

One guarantee of impartiality exists in the principle that, while ordinarily the President of the Court can by article 55 of the statute break a tie, he is denied that right when his state is a party, since the rules of the Court provide that he must "abstain from exercising his functions as President in respect of that case" (art. 13, Yearbook 1950-51, p. 238). He then hands over his duties to the Vice President or to the next senior qualified judge. (Rosenne, op. cit. supra, p. 63.)

Instances can be produced where members of the Court took a favorable attitude toward the contentions and interests of their own states or of allied states. Yet even judges from nations in the Communist bloc do not produce votes that have a corresponding solidarity. Some regular judges have decided against their countries in important cases, although the ad hoc judges "display a clear tendency to find in favor of their countries." Rosenne, op. cit. supra, pp. 65-66.

The Court is a human institution, and no human institution is perfect. Overall, the regular judges of the Court have evinced a high degree of responsibility to the world community which appointed them, and have a good record of objectivity. Surely the Court has shown itself worthy of the confidence of those nations which have accepted its jurisdiction without reservation.

III

If we did not have the United Nations, we would have to create it. For it is indispensable as a meeting place and as a clearinghouse for critical international business. No Western club, no Communist-bloc club, no Afro-Asian club could take its place, as any special interest group has too parochial a view for world problems. At the same time we should be careful not to overwork the United Nations or put it under too great a strain. It represents contradictory forces and when the Peking regime is admitted, as it must be, those stresses will increase. Accommodation between these contradictory forces is necessary if we are to avoid the nuclear holocaust. Yet the United Nations cannot be counted as the cure-all. Other ways and means of accommodation between those contradictory forces must also be found. We must seek a wide range of solutions for our clashes and conflicts.

The years 1963 and 1964 produced four landmarks in the effort to substitute a modicum of law for the arms race and the risk of war.

The treaty power was used to produce the nuclear test ban agreement. [1963] 2 U.S.T. & O.I.A. 1313.

The executive agreement was used to establish the so-called hot line between the Kremlin and the White House. [1963] 1 U.S.T. & O.I.A. 825.

The United States and Soviet Russia indicated they would prevent the spread of the armaments race to outer space, pronouncements followed by a resolution of the General Assembly of the United Nations calling upon all nations not to station in outer space "any object carrying nuclear weapons or other kinds of weapons of mass destruction." U.N. Resolution No. 1884 (XVIII), October 17, 1963.

The President on April 20, 1964, announced, simultaneously with the chairman of the Council of Ministers of Soviet Russia, a cutback in the production of weapons-grade fissionable material. (See Fisher, Arms Control & Disarmament in International Law, 50 Va. L. Rev. 1200, 1205 (1964).)

A critic could show how feeble by domestic standards these international safeguards are. Yet fragile as they may be, they mark important beginnings; they are precedents; and

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without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946, but at rates not exceeding \$75 per diem for individuals.

FUNCTIONS OF THE COMMISSION

Sec. 5. It shall be the function of the Commission to formulate and carry out programs for purposes of exploration and development of the marine resources of the Continental Shelf and waters above the Continental Shelf. Such programs shall include but shall not be limited to the following:

(1) Marine exploration, expeditions, and surveys necessary to describe the topography and to identify, locate, and economically develop physical, chemical, geological, and biological resources of the Continental Shelf;

(2) Cooperative expeditions for these purposes with other Federal agencies having missions on the Continental Shelf;

(3) Development of an engineering capability that will permit exploration and development of the Continental Shelf and adjacent waters;

(4) Fostering participation in marine exploration and economic development by scientific institutions and industry, through grants, loans, and cost-sharing arrangements; and

(5) Providing for the widest practicable and appropriate dissemination of information concerning marine discoveries, development of instrumentation, equipment and facilities, and other information as the Commission may deem appropriate.

POWERS OF COMMISSION

Sec. 6. In carrying out its functions under section 5, the Commission is authorized—

(1) to enter into agreements with other Government agencies for the carrying out by such agencies of any activities authorized by this Act, and for the reimbursement from appropriations made pursuant to section 8(a) of expenses incurred by such agencies in carrying out such activities;

(2) to enter into agreements with public or private scientific institutions, or with private enterprises or individuals, for the carrying out of any activities authorized by this Act, and for the payment from appropriations made pursuant to section 8(a) of all or any portion of the expenses incurred by such institutions, enterprises, or individuals in carrying out such activities; and

(3) to make loans, grants, or cost sharing arrangements from the fund established under section 7 to public or private scientific institutions, or to business enterprises or individuals for the purpose of enabling them to carry out activities to further the programs of the Commission.

MARINE EXPLORATION AND DEVELOPMENT FUND

Sec. 7. There is hereby established on the books of the Treasury a Marine Exploration and Development Fund which shall be available to the Commission for making loans, grants or cost sharing arrangement authorized by section 6(3). The fund shall consist of amounts appropriated thereto pursuant to section 8 together with amounts received as repayments of principal and payments of interest on such loans. In establishing terms for loans, grants or cost sharing arrangements made from such fund, the Commission shall give due weight to the benefits inuring to the Government from the activities carried out with the proceeds of such loans.

FINANCING

Sec. 8. (a) There are hereby authorized to be appropriated such sums, not to exceed \$50,000,000 for any fiscal year, as may be necessary to enable the Commission to carry out its functions under this Act.

(b) In addition to appropriations authorized by subsection (a), there is hereby authorized to be appropriated to the fund established by section 7 the sum of \$100,000,000 to remain available until expended.

DISSEMINATION OF INFORMATION

Sec. 9. The Commission shall make available to other interested Government agencies and, to the extent consistent with national security, to public and private institutions, business enterprises, and individuals any information obtained by the Commission in carrying out its functions under this Act.

REPORTS TO CONGRESS

Sec. 10. The Commission shall transmit to the Congress, at the beginning of each regular session of the Congress, an annual report of its activities under this Act, together with such legislative recommendations as it may deem desirable.

CLEVELAND URGES END TO RESIDUAL OIL IMPORT CONTROLS

(Mr. CLEVELAND (at the request of Mr. SKUBITZ) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, once again I rise to renew my plea that quotas on residual oil be withdrawn and that the plan be canceled. This program is harmful to the national defense; it is damaging to our Latin American trade program and to the Alliance for Progress; it places a heavy financial burden on the consumers of fuel in New England; and it has no relation to the economic problems of our coal-producing areas.

The coal industry today is vigorous and healthy, as a matter of fact, with even brighter prospects ahead. The residual oil quotas could be discarded completely without affecting the coal areas. Yet, it is these areas, representing powerful economic and political blocs, that are responsible for the continued maintenance of the quotas.

APPALACHIA BONANZA

These same areas are about to win a huge Federal subsidy in the form of the Appalachian bill. Let me say, that we in New England are most sympathetic with the economic problems of Appalachia. We, too, are part of the Appalachian chain and we know what it is like to lose whole industries on which the economic life of our communities depends. We are fighting back and making a good fight. We do not ask the rest of the country for special favors. But we do ask for terms of fair competition.

While our taxes will be taken to help finance this tremendous Appalachian program for 11 States, we are also paying additional tribute to the coal States in the form of high fuel costs, unnecessarily imposed through the residual oil quota system.

New Englanders are being asked to support the Appalachia program, yet at the same time, we are being forced to endure hardship through the discriminatory fuel policy imposed largely by the power of the Appalachian coal States.

FAIRPLAY

We seek only fairness and what we seek is also in the national interest. The maintenance of residual oil controls cannot be justified in terms of the national security. Two years ago, the Office of Emergency Planning declared in a report to the President that—

A careful and meaningful relaxation of controls on imports of residual fuel oil is

consistent with the national security and the attainment of Western Hemispheric objectives, which contribute to the national security.

From a foreign policy standpoint, this restrictive program is hurting us in Latin America, where exporters, restricted in their ability to sell us residual fuel oil and other materials, are buying more and more from other countries when they could be buying from us. This adds to the great problems of administering the Alliance for Progress and further complicates our balance-of-payments problems.

RESENT EXACTION OF TRIBUTE

We in New England are more than ready, as we have been always, to pay our share of costs for the national welfare but we deeply resent and deplore this silent exaction of tribute to special interests.

We must remember that the residual oil quota system was put into effect in 1959 for the main purpose of protecting the domestic oil industry. If that is still a major reason for continuing the program, it is a wholly defenseless one.

It is granted that 15 or 20 years ago, when 20 percent of all domestic refined crude oil reached the market as residual oil, imports represented an important problem for the oil industry. But this is no longer so. Today, less than 4 percent of our refineries' output is residual. Eventually this will diminish even further. Many refineries today in fact turn out no residual oil at all.

WOULD HELP OIL INDUSTRY

It seems to me that the domestic oil industry, which has problems of oversupply for other kinds of fuel, and which depends heavily on the densely populated Eastern Seaboard areas where imported residual fuel is a necessity, would help itself by dropping its opposition to ending the quota system.

The domestic oil industry can be assured that New England's plea for relief from quotas is founded solely on her need for fuel oil. We in New England would not sanction any modification of the import program which would allow imports of residual oil for any other purpose than as fuel.

I strongly urge that the quota system on residual oil be ended forthwith and, as a sampling of editorial opinion being expressed throughout New England, I offer the following editorials at this point in the RECORD:

[From the Providence (R.I.), Bulletin, Dec. 26, 1964]

THE CONTROLS ON RESIDUAL OIL HURT NEW ENGLAND

President Johnson has it in his power to give New England the happiest of happy New Year's greetings by ordering the immediate lifting of controls on the importing of residual fuel oil, a major cost factor in our industrial economy. The existing controls are controls without real purpose.

The controls exist, of course, because of the pressures of competing fuel interests. But domestic residual production is declining, and East Coast consumers now depend on imports for more than 75 percent of their requirements. The coal industry is vigorous and is competing hard in the East Coast boiler fuels market.

What is the purpose of continuing controls that have become meaningless? Why must New England economy pay a penalty

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in order to help a business over which it has no control? What special interest group has enough influence to keep this ridiculous controls system alive?

New England is not asking Mr. Johnson for a northeast Appalachia program. New England is not asking Washington to set up loans and grants to help our industries. Our industries can take care of themselves if they are given wider freedom to compete—and fuel costs are a big element of competition.

All New England wants is assurance of a continuing and expanding supply of residual fuel oil at competitive prices. In short, all New England wants is a fair chance to operate in a genuinely competitive market—and removing the residual oil import controls will help us to realize that goal.

New England's stake in Mr. Johnson's decision amounts to well over \$25 million annually through higher electric costs, apartment rents, school costs and taxes. There is no way to estimate how many jobs don't exist because industries have avoided New England because of high fuel costs.

The current fuel year ends March 31, and it would be a tremendous holiday present to New England if Mr. Johnson acted to kill the controls well before then. If the controls persist, relief will be just as far away as ever—and perhaps it may be a hopeless business for all practical purposes.

It would be ironic if the continuance of controls helped to produce a situation in which Mr. Johnson would have to be asked for help in the Appalachia style. We don't begrudge Appalachia any real help it can get, but we would rather help ourselves—if we get that chance to act.

New England businessmen dependent on competitive fuel costs and taxpayers who will be asked to help Appalachia ought to get busy in the next few weeks and let the White House know that New England would like a decision on residual fuel imports based on demands of the economy and not on pressures of special interests.

[From the Taunton (Mass.) Gazette, Dec. 28, 1964]

THROW US A "HOME RUN BALL," MR. PRESIDENT

President Johnson's one-day campaign tour of New England paid off handsomely for him with New England's solid "We Want Johnson" vote. On more than one occasion he was heard to say, "now it's New England's turn at bat." Mr. President, New England is indeed at bat now and you are the pitcher. You could easily throw us the "home run ball" by delivering us from the economic strangulation of residual fuel oil import quotas. The choice is yours and if you lay aside the political considerations of competing interests, the choice is obvious. Domestic residual production is declining and east coast consumers now depend on imports for over 75 percent of their requirements. The coal industry is vigorous and rebounding. Since 1962 it has captured 54 percent of the market growth of the vast east coast boiler fuel market. Its prospects for the future are bright. These two facts alone have made residual restrictions "controls without a purpose." Show the people of New England, Mr. President, that you are a man whose decisions are based on facts and what's good for the country and not on political expediency or the consideration of special interest groups. Direct that residual controls be lifted immediately and return to east coast consumers with growing fuel needs the assurance of a continuing and expanding supply at competitive price.

[From the Wakefield (Mass.) Item, Feb. 3, 1965]

COSTLY TO NEW ENGLAND

The matter of residual fuel oil imports and the restrictions against them is being

heard of again, and before long the President must make a decision about retaining or dropping the controls. Continuing them will be continuing a strong injustice to New England.

Residual oil is what is left after the refining process. This type of oil will not burn in home burners, but it can be used in the kinds of burners that heat public buildings and other places. The present restrictions against importing this kind of fuel affect an estimated 50 million consumers on the east coast. In New England, where obtaining heating fuel is expensive, the burden caused by inability to get the residual oils is considerable.

The coal industry has fought to keep the controls on, with the unsubstantiated plea that consumption of coal would be cut by increased use of residual oil. The fact is that New England is being made to pay a high price for heating fuels because it is denied the residual oil. There is little evidence that the coal industry benefits from this reality.

There is no proper reason why New England must be made to suffer this inequity. There is no proper reason why the control should be continued. New England's representatives are working hard toward the removal of the restrictions. An open, competitive policy of imports would be a needed aid to the area.

The President's removal of the costly restrictions is in the interests of New England's welfare and if he makes any pretense of concern for this section of the country, he will remove them.

[From the Bangor (Maine) News, Feb. 8, 1965]

A MOST PECULIAR SITUATION

Many strange things happen in Washington but none stranger than an advertisement recently placed in the Washington Post. It was in the form of an open letter, sponsored by the New England Governors' Conference, pleading with President Johnson to lift the quotas on residual oil imports—which are costing the region an extra \$80 million annually for fuel.

We give the Governors credit for trying, along with the New England Council and others who supported the plea. But why should it be necessary to spend money on an advertisement in a Washington newspaper to reach the President in hope of correcting an obvious and longstanding injustice?

Surely the Democrats, if not the Republicans, of the New England delegation in Congress have access to the White House. Maine's Senator EDMUND S. MUSKIE supposedly enjoys high favor with the administration. He was among those mentioned as President Johnson's possible choice as a running mate.

The President himself came to this region during the election campaign and assured listeners that it was now New England's "turn at bat."

Well, lifting the burdensome oil import quotas wouldn't be much of a turn at bat. But it would help—some \$80 million worth, and at no cost to U.S. taxpayers. All that's required is a swift swrawl of the President's pen.

We hope the advertisement brings results, but it shouldn't be necessary to go to such extremes to catch the President's attention. What has happened to communications between the White House and New England's Democrats?

SENATOR COTTON'S CONCISE STATEMENT OF OUR DILEMMA IN VIETNAM

(Mr. CLEVELAND (at the request of Mr. SKUBITZ) was granted permission to extend his remarks at this point in the

RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, the distinguished senior Senator from New Hampshire, the Honorable NORRIS COTTON, devotes his most recent regular report to his constituents to a discussion of the dilemma in Vietnam. As the Senator also points out, public officials labor under great difficulties in attempting to discuss the Vietnamese situation partly because of limited information and partly because the situation changes so fast that commentary is apt to be out of date by the time it is published.

Under unanimous consent, I offer Senator COTTON's analysis for the RECORD. It is as concise, clear-cut, and perceptive a presentation I have yet seen on the troublesome problems besetting us in Vietnam:

STATEMENT BY SENATOR COTTON

I had hoped I would not have to write about Vietnam—partly because a week must elapse between my writing and your reading my report, and Vietnam can change overnight. My main reason, however, stems from Ed Murrow's famous advice, "When you are unsure of your facts, admit it. When you have no solution to offer, don't pretend you have." That may go for commentators, but people expect their Senator to have his facts and an opinion—and in as explosive a situation as Vietnam, you can't blame them. I shall give you my present judgment based on what I have been able to glean from testimony before committees and briefings by the President and the Defense and State Departments. At best, it's a choice between evils.

First, why are we in Vietnam?

The Geneva Accords of 1954 ended French control, leaving Vietnam free but prostrate and virtually bankrupt. President Eisenhower offered financial assistance, and with our economic aid, South Vietnam made amazing progress. The Communists, finding it was not going to collapse and fall into their hands, started guerrilla warfare. Unable to stem the tide, President Diem appealed to us for military help, and President Kennedy gave it. President Johnson continued it, and Congress, by appropriations and later by resolution, approved.

Should we now get out of Vietnam or stay in?

Those who contend we should get out advance the following reasons: (1) hazards of fighting a war in the jungles of Asia 8,000 miles from home; (2) failure, thus far, of our allies, even those in the direct path of the Communists, to join us with anything more than token assistance; (3) lack of stable government in South Vietnam.

But we must consider what will happen if we withdraw: (1) South Vietnam would be overrun by the Communists. Its valiant fighters and a million refugees that have fled there for protection would be ruthlessly liquidated. (2) Our failure to live up to commitments made by three Presidents and the Congress would shatter worldwide confidence in us and topple anti-Communist parties everywhere. (3) Nations of southeast Asia would go down like a row of dominoes before the onward rush of communism. Japan and the Philippines might be forced to reach an accord with Red China.

All this adds up to the conclusion that knuckling to the invaders in Vietnam is the surest path to ultimate war. In the words of Eisenhower: "Weakness invites aggression—strength stops it."

Admittedly, the glaring weakness is the lack of stable government in South Vietnam. All experts agree that the Vietnamese are the toughest fighters in southeast Asia, eager to defend their freedom. That's why Viet-

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nam was selected as the place to make a stand. But no army can fight without a head, and it takes a strong hand to stamp out Communist infiltration. Nor can our allies be wholly blamed for not responding. There has been no continuing government to ask them—to receive, assign, and quarter them. This has delayed for weeks 2,000 trained South Koreans who have finally arrived. Our tragic mistake was our acquiescence in the overthrow of Diem, just as years ago we forced the fall of Chiang Kai-shek and lost 400 million Chinese. It's an error hard to rectify. If we take a hand in restoring a strong government, we invite the charge of imperialism, but that is what we may have to do or pay a terrible price in American blood. We never learn that Asians are not yet schooled in the ways of democracy and respond only to absolute power at the top. The suggestion that we can take time out in this emergency to educate them in the elective process is absurd. It would take a generation.

On the whole, however, I back the policy of President Johnson. He is right in refusing to negotiate while aggression continues—it would be taken as a sign of weakness. He is right in refraining from any overt act to widen the war—or that we must not be guilty. He is right in making retaliation swift and sure each time we are attacked—there must not be another Korea with Americans subjected to bombing and not allowed to strike at the source.

This report offers no inspired solutions. It will not be pleasing either to those who demand that we go "all out" or those that demand we "get out." To be sure, our present course is a "staying" process, repugnant to American temperament and tradition. But it's the best of bad alternatives.

AMERICAN INDUSTRIAL RELATIONS

The SPEAKER pro tempore (Mr. Roush). Under previous order of the House the gentleman from New York [Mr. Goode] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, I rise today to discuss a matter of great urgency. My comments will be somewhat technical but I hope you will bear with me, because I believe that the importance of this matter will become obvious as I proceed.

The world of American industrial relations is obviously an important one. But it is also a delicate and sensitive one. Every week, across the country, employers and unions are working out their codes of relationship—a code which in each case is represented by a collective bargaining agreement.

And the negotiations which produce those agreements rest upon a complex of understandings and assumptions which, although they do not enter into the agreements, very considerably affect the nature of the agreements entered into.

Obviously, any serious intervention with these basic, underlying guidelines will necessarily shake, and maybe even shatter, the sensitive framework of relationships built into the collective agreement.

A 1960 trio of decisions of the U.S. Supreme Court relating to labor arbitration represents just that kind of dangerous—and unjustified—interference with the collective bargaining process.

Known as the *Warrior & Gulf* tri-

logy—*Warrior & Gulf Navigation Co. v. USW*, 363 U.S. 574; *USW v. American Mfg. Co.*, 363 U.S. 564; and *USW v. Enterprise Wheel & Car Corp.*, 363 U.S. 593—from the lead case in the group, the decisions upset and reverse the standard rule of arbitrability. This standard rule, recognizing that arbitration is a deliberately chosen alternative to judicial litigation, permits judicial enforcement of a demand to arbitrate only where the duty to arbitrate the particular demand is clear.

In the trilogy decisions, the Court held that arbitration demands, under collective bargaining agreements, must be enforced by the courts unless the demands are specifically excluded from arbitration by language in the agreement.

Despite the strong protests against the *Warrior* and *Gulf* doctrine which immediately arose from lawyers, labor relations experts, and even arbitrators—Levitt, "The Supreme Court and Arbitration," *NYU 14th Annual Conference on Labor*, 1961, page 217 and the following; Hays, "The Supreme Court and Labor Law," *60 Columbia Law Review*, 901, November 1960, note 46; Cornell Law Quarterly Review, page 336 and the following, winter, 1961; Wallen, "Recent Supreme Court Decisions on Arbitration—An Arbitrator's View," *63 West Virginia Law Review*, 295, 1961; Kagel, "Recent Supreme Court Decisions and the Arbitration Process," *Proceedings of the 14th Annual Meeting, National Academy of Arbitrators*, 1961, page 1. See also, the report at pages A2 to A4 of BNA's Daily Labor Report, reporting the February 8, 1963, meeting of the National Academy of Arbitrators—the Supreme Court has continued to apply, and even expand, this radical new rule. For instance, in March of this year, the Court in, *Wiley & Sons v. Livingston*, 376 U.S. 543, ruled that even the procedural pre-conditions to arbitration, such as contractual time limits, must be decided by the arbitrator, and not the court.

The labor law section of the American Bar Association has labeled this strange new doctrine "turnstile arbitration," and has formally recommended that Congress reverse it by enactment of a modification to section 301 of the Labor-Management Relations Act of 1947.

I fully agree with the concern of the American Bar Association that these revolutionary decisions must be reversed. Accordingly, I am today introducing a bill to accomplish that purpose. This legislation will serve the public interest for the following reasons:

First, the Court's decisions represent an unfair reversal of one of the basic principles upon which existing and future collective agreements are reached—the rule that the arbitration clause in a contract will be subject to normal, careful, judicial construction.

Hundreds, if not thousands, of collective agreements across the land—with arbitration clauses negotiated under the umbrella of that rule—were substantially modified by the *Warrior* and *Gulf* decision. The parties to those agreements awoke one day to find themselves party

to an arbitration agreement of a kind they had never intended to make.

The sensitive balancing of rights and duties included in those collective agreements was summarily unbalanced by the Court's action. No one will ever know the degree of damage to union-management relations which will flow from this upset. I believe that it is highly desirable for Congress to undo that damage now.

Second, I believe that the *Warrior* and *Gulf* rule represents a basic misconstruction and distortion of congressional intent and constitutes a prime example of judicial legislation.

The keystone of the questionable arch of logic by which the Court imputes congressional intent to create an "automatic" rule of arbitrability in labor disputes is the Court's prior decision in the *Lincoln Mills* trilogy, 353 U.S. 448 (1957). In that earlier trilogy, the Court held that section 301(a) of the Taft-Hartley Act authorizes as follows:

Federal courts to fashion a body of Federal law for the enforcement of * * * collective-bargaining agreements and includes within that Federal law specific performance of promises to arbitrate grievances under collective-bargaining agreements.

We conclude that the substantive law to apply in suits under section 301(a) is Federal law which the courts must fashion from the policy of our national labor laws. (Justice Frankfurter's dissent, after cogently demonstrating that Congress had not the slightest intent to assign this legislative function to the Court, sharply questions the constitutional right of the Court to assume such a function. The questionable right of the Court to create a "labor-contract code" underscores the importance of constant congressional overseeing of the code's development.)

Justice Frankfurter sharply chided his colleagues for this decision, which, he said, attributed to Congress "an occult intent." And Law School Professor and Labor Law Expert Charles Gregory said of the decision:

It is enough to make the legal profession hold onto their hats.

In the *Warrior* cases, the Court fashioned its arbitrability rule by determining that:

The present Federal policy is to promote industrial stabilization through the collective bargaining agreement. A major factor in achieving industrial peace is the inclusion of a provision for arbitration of grievances in the collective bargaining agreement.

Complete effectuation of the Federal policy is achieved when the agreement contains both an arbitration provision for all unresolved grievances and an absolute prohibition of strikes, the arbitration agreement being the "quid pro quo" for the agreement not to strike.

Neither in *Lincoln Mills* nor in the *Warrior* cases does the Court submit any proof of the intent of Congress to "favor" grievance arbitration other than (a) this vague statement in *Lincoln Mills*:

To be sure, there is a great medley of ideas reflected in the hearings, reports, and debates on the act. Yet, to repeat, the entire tenor of the history indicates that the agreement to arbitrate grievance disputes was

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considered as quid pro quo of a no-strike agreement.¹

And (b) the following statement in the majority opinion in the American Manufacturing Co.:

Section 203(d) of the Labor Management Relations Act, 1947, 61 Stat. 154, 29 U.S.C. 173(d) states: "Final adjustments by a method agreed upon by the parties is hereby declared to be the desirable method for settlement of grievance disputes arising over the application or interpretation of an existing collective-bargaining agreement * * *." That policy can be effectuated only if the means chosen by the parties for settlement of their differences under a collective-bargaining agreement is given full play.

Statement (a) is not supported by the legislative history of the Taft-Hartley Act—an exhaustive legislative history of section 301 relating to this subject is devastatingly appended to Justice Frankfurter's dissent in *Lincoln Mills*. In any event, statements (a) and (b) even if valid, do not in any way lend support to the Court's creation of this startling new doctrine of "automatic arbitrability" upon the alleged ground that it reflects congressional intent. Indeed, the language of section 203(d), quoted above, could more logically be construed as reflecting congressional intent that the courts should carefully scrutinize "the method of final adjustment agreed upon by the parties," in order not to misapply their agreement. Such an interpretation would appear to be confirmed by the following quotation from a House conference report which is importantly highlighted by Justice Douglas in *Lincoln Mills*:

Once parties have made a collective-bargaining contract, the enforcement of that contract should be left to the usual processes of the law.

Perhaps in recognition of the meager and "clairvoyant" nature of this estimate of congressional intent, the Court's opinion sought to justify this "entirely new and strange doctrine" by a discursive, internally inconsistent discussion of the nature of labor arbitration, leading to the highly debatable conclusion that that nature warrants a hands-off approach on the part of the courts.

Professor, now Court of Appeals Judge, Paul Hays cogently noted the lack of logic and correctness in the trilogy, saying:

It is with the reasoning of the opinions and with their aura that one takes issue. Perhaps it would be fair to say that the Court's view of labor arbitration, as expressed in these opinions, is romantic rather than realistic and rational. The picture given of the arbitration process sounds more like the

praise of arbitration one might hear in the speeches at a dinner in honor of some popular arbitrator, or at a public function of an arbitration group. It suggests only a vague resemblance to the hard, practical, day-to-day processes of hearing and determining grievances (60 *Columbia Law Review* at 930).

Third, the decisions contain within themselves the seeds of labor-management conflict. As contracts terminate, or otherwise become open for bargaining, management will inevitably seek to remove the arbitration clauses whose nature has been so abruptly changed by the courts. Unions, attempting to hold onto their newly found turnstile arbitration, will resist. The result: a harsh and totally unnecessary cause of strikes, picketing, and all the animosity and ill will thereby engendered.

My conclusion that these decisions will lead to industrial strife is supported by many commentators. For example:

The Court's opinion is motivated by the professed intention to promote industrial peace. The instant decision, however, compels management, when existing contracts come up for renegotiation, to specifically exclude from arbitration those practices considered to be legitimate managerial rights. Should this meet with bitter union opposition, the result may be just the open industrial warfare the Court is seeking to avoid. (Vol. 46, *Cornell Law Quarterly* at p. 346.)

What are the practical implications of the Supreme Court's decisions for collective bargaining? Those in management who panic may rush in to insist on tightening the so-called standard arbitration clauses to sharply delimit arbitration. They are bound to meet with sharp resistance from union negotiators, especially when they get into the supremely sensitive areas such as subcontracting and the like. (Wallen 68, *W. Va. Law Review* at p. 299.)

The newly announced Douglas doctrine shatters precedent. Arbitration has received the alchemist's transmutation. Except for matters expressly excluded, all arbitration is now open and regardless of union-management intent; and the right of judicial review, for all practical purposes, is a thing of the past. These decisions are so weighted in labor's favor that two results appear inevitable: (1) Attempts to modify long-existing contract language to avoid the dangers posed will cause considerable labor-management strife; (2) a spate of judicial opinions distinguishing the instant cases will follow in an effort to restore a semblance of reality to the arbitral process. (Cornell L. Rev., vol. 46 at p. 349.)

I think no one has better expressed the recent strange convolutions of the Supreme Court in this area of the collective agreement than Prof. Clyde Summers, of Yale Law School. In his report to the American Bar Association Labor Law Section in 1962, Professor Summers said:

The Court's main concern this term has been with exploring the wonderland of section 301. Following the white rabbit of legislative intent, the Justices have peeked through the doorway of State court jurisdiction, nearly drowned in their own tears over Norris-La Guardia; and like an Alice, the Court, in this wonderland, has first closed up and then opened up, like a telescope, scarcely knowing how to become the correct size, or what the correct size should be.

In *Lincoln Mills* the Court shot up like a giant, now capable of fashioning a body of Federal law for the enforcement of collective bargaining agreements. But in the Steelworkers' cases the Court nearly dis-

appeared entirely when it tasted an arbitration clause. It protested it was too unschooled to interpret an agreement, and too shy to ask the arbitrator for an explanation of his decision.

This year the Court in March was wise and strong enough to write into an agreement a no-strike clause, but in June was helpless to require that ones written by the parties be obeyed.

The ability to change sides can, as Alice discovered, be quite useful if the Court knows why and when it needs to perform different functions and has path or purpose. But in the cases this year, the Court seemed to wander through random doors to new adventures.

In the light of all the above, I think it is time for Congress to step into this wonderland through which the Court has been wandering and to seek now to restore sanity and order.

Early enactment of the bill which I am introducing today represents a highly appropriate first step in this endeavor.

GOLD KEY AWARDED TO MISS MARY E. SWITZER, COMMISSIONER OF VOCATIONAL REHABILITATION

(Mr. FOGARTY (at the request of Mr. STEPHENS) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FOGARTY. Mr. Speaker, there is always much satisfaction in seeing outstanding and devoted career public servants recognized for what they are doing to advance the welfare of the American people. Recently a leading medical journal, the Archives of Physical Medicine and Rehabilitation, announced the conferring of the Gold Key Award on Miss Mary E. Switzer, Commissioner of Vocational Rehabilitation, in the U.S. Department of Health, Education, and Welfare, for her long and distinguished service in developing and expanding better rehabilitation services for disabled men, women, and children in this country and abroad.

The award is the highest conferred by the American Congress of Physical Medicine and Rehabilitation. It has been given previously to only a small number of outstanding nonphysicians, including Franklin D. Roosevelt, Bernard M. Baruch, Sister Elizabeth Kenny, Henry F. Kettering, Basil O'Connor, and Eugene J. Taylor.

In making the award, this professional group quite properly noted the results of Miss Switzer's leadership in terms of the substantial growth in services to the disabled through the Federal-State program of vocational rehabilitation, the progress in research into better methods of rehabilitating the disabled, and the expanded national training program for producing more professional workers in this field.

Because the sort of recognition given by such a Gold Key Award gives visible evidence of the exceptional performance by career Government leaders such as Miss Switzer, I should like to insert at this point in the RECORD the text of the citation from the December 1964 issue of the Archives of Physical Medicine and Rehabilitation:

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For 1965, the company will exert every effort to meet the President's goal of an increase of about 20 percent in its net contribution—the excess of exports, dividends, and license fees over such overseas investment as may be required to preserve and expand a fully competitive position.

Mr. Speaker, as Congressman from the First District of Iowa, I want to personally applaud this generous action on the part of Caterpillar Tractor. These actions illustrate the type of enlightened and generous attitude that has contributed so much to the strength and well-being of this great Nation. It is another vindication of the firm faith which all of us, as devoted Americans, have in our great competitive free enterprise economy.

Farm Income Too Low

EXTENSION OF REMARKS
OF

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 10, 1965

Mr. MONDALE. Mr. President, last week the very reliable Minnesota poll of the Minneapolis Star and Tribune indicated that more than 6 out of every 10 Minnesotans feel that the farmers in the United States do not get a fair return on their products.

This poll echoes, I think, the sentiments of all citizens in the Midwest and farm States, and I think it deserves much wider attention.

Therefore, I ask unanimous consent that an article describing the results of the poll be printed in the Appendix of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MINNESOTA POLL: 62 PERCENT CALL FARM INCOME TOO LOW

U.S. farmers generally do not get a fair return on their products, in the opinion of more than 6 out of every 10 Minnesotans (62 percent) questioned in a statewide survey by the Minneapolis Tribune's Minnesota poll.

Among farm residents themselves the feeling is almost unanimous; more than 9 out of every 10 persons living on farms think farmers fail to get properly reimbursed for their work.

In the words of a Bloomington housewife, 28, who once lived on a farm: "You can not possibly make any money considering the work that goes into farming. If they got paid by the hour, farmers would be rich compared with the workingman in town."

Out of the wide variety of explanations offered as to why farmers do not get their fair share, the middleman most often is singled out as a cause.

There are just too many middlemen in our marketing system, at St. Paul man said.

The question put to a balanced sampling of Minnesota men and women living in all parts of the State:

As things stand today, would you say that farmers in the United States generally do or do not get a fair return on their products?

The replies:

	[In percent]	
	All adults	Farm residents
Farmers do get a fair return	28	8
Do not	62	92
Other answers	2	—
No opinion	8	—
Total	100	100

A farmer's wife from Clay County said: "The prices we get for our crops aren't high enough. We should have 100 percent parity."

Another farm homemaker (Otter Tail County) who feels farmers should be left alone and allowed to handle their own problems puts the blame on bigness. "We used to raise turkeys and made out OK until the big companies sold feed," she said. "Too many big businessmen invest in farming as a sideline and that hurts us, like the chicken farms that are run by the big food chains."

A Stillwater man who teaches typing and stenography thinks "It's just the way our economy operates. Nobody wishes it on them, but as a whole our farmers don't have much of a chance to raise their standard of living," he said.

"We've tampered with supply and demand through subsidies and it hasn't worked," a Coon Rapids woman declared.

After sorting the answers into broad categories, the explanations are found in these numbers:

	Percent
Middleman takes too much, too many middlemen	43
Lack of organization, no bargaining power, can't control prices	17
Cost of farm operation too high in relation to return on products	12
Overproduction, products wasted	7
Government regulations, too much Government control	5
Too many imports	2
Other reasons	19
Don't know	8
Total	113

The above column adds to more than 100 percent because some respondents who thought farmers did not get a fair return supplied more than one reason.

"The farm problem" has been a source of vexation to White House administrations before and after the great depression of the 1930's. "It's going to take some smart cookie to figure it out," one farmer mused.

Medicare Plan of AMA

EXTENSION OF REMARKS
OF

HON. JAMES H. MORRISON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1965

Mr. MORRISON. Mr. Speaker, medicare is a most controversial subject and I think that all views should certainly be expressed in the CONGRESSIONAL RECORD and various news media.

The Honorable Chester A. Williams, Jr., coroner of the East Baton Rouge Parish, who is an outstanding and distinguished doctor of Baton Rouge, La., requested that I include in the RECORD the following article, which appeared in

the Catholic publication, The Commentator.

The article is as follows:

MEDICARE PLAN OF AMA

(By Father John Doran)

It would seem to me that the medicare plan proposed by the American Medical Association is really closer to the thought of the Papal Encyclicals than the social security plans of the administration. Let me tell you why.

At the beginning of his famous encyclical "Mater et Magistra," Pope John restated the usual papal thought on the principle of subsidiarity. He said, quoting Pius XI in "Quadragesimo Anno," "It is a fundamental principle of social philosophy, fixed and unchangeable, that one should not withdraw from individuals and commit to the community what they can accomplish by their own enterprise and industry. So, too, it is an injustice and at the same time a grave evil and a disturbance of right order, to transfer to the larger and higher collectivity functions which can be performed and provided for by lesser and subordinate bodies. Inasmuch as every social activity should, by its very nature, prove a help to members of the body social, it should never destroy or absorb them" (pt. 11, No. 53).

Basically, the social security approach to medicare is this: the Government will enforce by taxation a withdrawal from the pay of the individual and his employer a sum of money each month in order to provide for this employee hospital care in his later years. In this part of the program one finds an insurance plan forced upon the employee by the Government. But, when one considers all those already over 65, or soon to pass that age, one sees the Government plan as an outright grant of hospital costs (with certain limitations, of course) to every one who is of the required age, whether that person needs the assistance or not.

There is, let me say at once, a real need for some sort of medical care for those who cannot provide it for themselves. This country of ours is too rich in material wealth to allow the poor within it to be deprived of medical care. It can and should be provided. There is no argument here. What is argued, and of vital concern, is whether this assistance shall be provided broadcast, or as needed.

You see, the elderly as such are not necessarily indigent, not necessarily in need. A visit to retirement communities can show one that. The aged of this country represent 9 percent of the population, and control 8 percent of the country's income. Ninety-six percent of these oldsters owe, according to the University of Michigan survey, no bills for doctor, dentist, or hospital. As a class our elderly people are not a poor people.

However, and this is a big however, an individual in need is not going to be much helped, by the simple fact that he is of a class not in need. There are, and there will be, elderly people who do need assistance in order to meet medical bills, hospital, doctor, and drug. For them provision must be made.

The AMA plan recognizes this need, but proposes that the need shall be met where the need exists, not on an overall basis of establishing medicare for all, whether they need it or not. The AMA plan envisions the use of private insurance, and would function through the Kerr-Mills Act, already implemented in some 40 States. "Under the new program, an over-65 citizen would purchase through the private insurance firms a wide spectrum of medical, surgical, and hospital benefits, and would pay all, part, or none

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of the costs of the policy, depending on his income.

For individuals with income under the specified minimums, the State agency, using Federal-State funds, would pay the entire costs. * * * Aid would consist of comprehensive health-care benefits, rather than being limited to hospital and nursing home care, which are the only benefits under the presently proposed Government plan. Eligibility for assistance would be determined on the basis of a "simple income statement."

The reason why I think the AMA plan fits into the principle of subsidiarity better than does the Government plan is this: the AMA plan leaves to the individual the provision for himself and family, if he is able.

If the individual cannot provide personally, he can turn to the next upward grouping, the insurance plan; if he is unable to use this next step, then he turns to the State-Federal plan. The social security plan takes away from the individual his freedom for, and obligation to, provide for himself, and enforces an immediate Federal plan provided by taxation. The Government thereby does for people what most of them can do for themselves, which is the reversal of the principle of subsidiarity.

You might express my thinking on the subject of medicare this way: let those who can provide for themselves by their own funds and insurance do so; let the State step in to help those who cannot provide for themselves. Our own individual dignity demands that we take care of ourselves if we can; human dignity demands that society care for those who cannot provide for themselves.

Closing of Olmsted Air Force Base

EXTENSION OF REMARKS
OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 10, 1965

Mr. SCOTT. Mr. President, the closing of Olmsted Air Force Base, at Middletown, Pa., is creating grave problems for central Pennsylvania. Twelve thousand families will be seriously affected, and great damage will be done to central Pennsylvania's overall economy. I ask unanimous consent to have printed in the Appendix of the RECORD a resolution, adopted by the Senate of Pennsylvania, urging Secretary of Defense McNamara to rescind the order directing the phasing out of Olmsted Air Force Base.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"SENATE OF PENNSYLVANIA RESOLUTION, FEBRUARY 26, 1965

"The closing of the Olmsted Air Force Base at Middletown, Pa., will add to the unemployed of central Pennsylvania about one-fourth of the total to be made unemployed by the recent order of Secretary of Defense Robert S. McNamara closing certain installations throughout the United States. About 12,000 families will be seriously affected by the order.

"In addition to the economic suffering of the unemployed the Commonwealth and the political subdivisions of the area will be adversely affected by the resultant additions of poverty stricken families to relief rolls, etc., and the economy of central Pennsylvania will grind to a low point in the years to come because of the loss of the annual \$73 million payroll of the base.

"National defense expenditures in Pennsylvania constitute only one-third of the amount spent in New York and only one-eighth of that spent in California. The phasing out of the Olmsted Base will lower the share of the Commonwealth to less than 3 1/2 cents of each national defense dollar.

"Olmsted Air Force Base is the only base operated by the Air Force in Pennsylvania. Its closing may result in inadequate protection for Pennsylvania and northeastern United States. Therefore be it

"Resolved, That Secretary of Defense Robert S. McNamara be urged to rescind the order directing the phasing out of the Olmsted Air Force Base at Middletown; and be it further

"Resolved, That a copy of this resolution be transmitted to each Senator and Representative from Pennsylvania in the Congress of the United States."

I certify that the foregoing is a true and correct copy of senate resolution, serial No. 11, introduced by Senators William B. Lentz, Richard A. Snyder, George N. Wade, and Robert O. Beers, and adopted by the Senate of Pennsylvania the second day of March 1965.

MARK GRUELL, Jr.,
Secretary, Senate of Pennsylvania.

Dropout Likes Job Training

EXTENSION OF REMARKS
OF

HON. JOHN R. HANSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1965

Mr. HANSEN of Iowa. Mr. Speaker, the efforts of the Johnson administration to get the Job Corps into full operation is to be commended. Already reports of the value of this move to assist our untrained young people are coming to us.

An article that appeared in the Shenandoah, Iowa, Evening Sentinel on February 15 points up the enthusiasm that has greeted this program. I commend it to my colleagues attention:

DROPOUT LIKES JOB TRAINING

ASTORIA, OREG.—George Howard, 18, got through the 10th grade at Butler, Ill., then quit school because "me and the teachers didn't get along." He gets along fine, though, with teachers at the Job Corps training center at the old Tongue Point Naval Station here.

James Miles, 18, of Oakland, Calif., says this is because the teachers "really want to help. They could make a lot more money other places, but they came here because they want to help us."

What they are helping George and James to do—and ultimately an enrollment of 1,250 as well—is to learn a skill and hold down a job. This is part of President Johnson's war on poverty program and it is one of the first urban training centers where classroom work will be combined with vocational training.

The University of Oregon is running it. Philco Corp. has the contract for job training. And Douglas Olds, a veteran Oregon school administrator is directing a reading, writing, and arithmetic program along with job training.

Most of the youngsters have had a job or two, briefly, after dropping out of school. Louis Mendoza, 17, of Denver, Colo., says all he could get in 2 years were dishwashing or busboy jobs. Now he is studying electronics.

"I'll work on color TV and things like that," he says. "The classes are fun. They don't treat you like a 2-year-old."

Olds says that in both the academic and vocational classes, instructors aim at providing individual attention.

They are getting it and although the school has been open less than 2 weeks, the enthusiasm is evident.

"I'm going to graduate," says Carl Nickels, 17, of Redding, Calif. "I'm going to get a high school diploma. And then I'm going to go to college—maybe UCLA, I hope—and study electronics."

Stand Firm in South Vietnam

EXTENSION OF REMARKS
OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 10, 1965

Mr. THURMOND. Mr. President, I have been very much impressed with an article, in the March 15, 1965, issue of U.S. News & World Report, containing an interview with the Foreign Minister of Thailand on the question of our stand in South Vietnam. The article is entitled "To the United States From an Ally: Stand Firm."

I commend this article to the attention of all Senators; and, therefore, I ask unanimous consent to have it printed in the Appendix of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TO THE UNITED STATES FROM AN ALLY:
STAND FIRM

BANGKOK, THAILAND.—Talk with Foreign Minister Thanat Khoman, of Thailand—a country directly menaced by the war in southeast Asia—and you get some strong answers.

Question: Is a negotiated peace possible in South Vietnam?

Mr. Thanat's answer: "Who is asking for negotiations? South Vietnam has not asked for talks. Red China and North Vietnam are not interested. Their position is perfectly clear. They want control of South Vietnam and complete and unconditional withdrawal by the United States."

"What do you negotiate? Complete surrender of South Vietnam to the Communists? If that is your intention, then do not waste money and time negotiating."

"When one is willing to surrender, then surrender. It is very easy."

"The United States must continue to support South Vietnam or withdraw. Talk of a negotiated peace is irrelevant."

Mr. Thanat gives a flat and emphatic "no" to any idea that another Geneva Conference with the Communists could produce a settlement in southeast Asia.

"Communist countries signed Geneva agreements in 1954 and 1962, guaranteeing respect for the unity, neutrality, independence, and freedom of Laos and Vietnam. North Vietnam and China signed those agreements. But they are the countries causing all the trouble now."

"Outsiders tell us, 'Go back to Geneva and try again.' But isn't twice in a lifetime enough? How many times do we have to try?"

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"We do not have the right to treat Laotians and South Vietnamese as cattle and dispose of them as at an auction.

"If you (Americans) want to try to dispose of people in Europe—in Berlin—that is OK. But do not experiment with the freedom of people in Asia. We will not accept it. We are not interested in experiments."

The Foreign Minister, once considered a potential neutralist, now has nothing but scorn for the idea of neutralism as a safe haven for those who want to avoid domination by the Communists:

"We might consider neutralism as a refuge if we could be convinced that the Communists would let us remain free and independent. But we saw what happened to Laos and India. They were both neutralists.

"The Chinese have no intention of letting us be neutral.

"They want to take over Thailand.

"Red China's Foreign Minister, Chen Yi, made it clear the Chinese would send cadres and material to help 'liberate' Thailand, just as the Chinese and North Vietnam helped the Pathet Lao to 'liberate' Laos. We do not take the Chinese as a joke."

IF UNITED STATES WITHDRAWS

What happens to Thailand if the United States withdraws from Vietnam?

"I cannot envisage withdrawal from Vietnam. But, if it happens, we will have to strengthen our defenses."

In 1962, after the Geneva conference which was supposed to have neutralized Laos, Mr. Thanat charged that the United States "which claimed to be our great friend likes its foes better than its friends." Later, he signed an agreement with Secretary of State Dean Rusk in which the United States agreed to defend Thailand against aggression, even if the Southeast Asia Treaty Organization powers did not act together.

Mr. Thanat was asked if he considers this agreement as binding as a mutual-defense treaty. His reply:

"We believe in that agreement.

"We are certain the United States will honor its obligations, even though there are dissenting noises from some Americans, such as we have heard in the last few weeks over the U.S. position in South Vietnam. But the agreement was signed by Secretary Rush with the concurrence of President Kennedy. We have no doubt about its validity."

AN ANTI-WEST CAMPAIGN?

The Foreign Minister was asked if he believed Indonesia and Communist China were working together in a campaign to drive the West out of Asia. His reply:

"The Chinese have made it clear they want all Western bases removed from southeast Asia. Indonesia's intentions are much less clear. They may want the British bases dismantled so as to strengthen Indonesia's position. But the Indonesians are not as clear as the Chinese on this point."

Would the dismantling of British bases at Singapore and in Malaysia affect Thailand's security?

"As long as Britain intends to fulfill its role as a partner in SEATO, it must have bases in Malaysia. If those bases were removed, it would weaken SEATO. And when SEATO is weakened, we are weakened."

"But this is not just the problem of one country, Thailand. It is a problem that affects the entire region."

The way things are going, is there any hope for peace between Indonesia and the new country of Malaysia?

"We are trying to facilitate contact between the countries. We hope to keep the conflict in bounds. Both sides seem to be trying to settle the problem. But we are not mediating—only encouraging them to explore the situation. Our capability of helping is limited."

Selma, Ala., and the Man Who Knows

EXTENSION OF REMARKS

OF

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1965

Mr. NEDZI. Mr. Speaker, satire and wit can be most effective in fighting injustice and evil. In this regard, Dick Schaap of the New York Herald Tribune, with a wit that brightens, has illuminated the grim situation in Selma, Ala., with his column of March 9, 1965. He stings with the truth. I commend this article to the attention of my colleagues.

Under leave to extend my remarks, the article follows:

THE MAN WHO KNOWS

(By Dick Schaap)

The trouble with Gov. George C. Wallace is that he is too soft. He could have used mustard gas. Or machineguns. But he grew up with Negroes and he knows those people and he understands them, so he figured tear gas and clubs would do the job. He is nothing if not a humanitarian.

His work for human rights has already been recognized. Just last year, he won the Nobel Prize for Martin Luther King. He had help from people like Bull Connor and Al Lingo and Jim Clark, but if you had to stop and pick out the one man who did the most for King, it would be George Wallace. He stood up when he was inaugurated in 1963 and he said, "Segregation now, segregation tomorrow, segregation forever." Ever since then, he has been presiding over the integration of his State.

Wallace said he would stand in the doorways of the schools, and he guaranteed that the University of Alabama would be integrated. He said that Alabama would never tolerate the mixing of the races in public places, and he guaranteed that the civil rights law would be passed. He swore that Negroes would not march from Selma to Montgomery, and he practically guaranteed that the Federal Government will move into Alabama. Give Wallace half a chance, and he will have Martin Luther King elected President of the United States.

It is very subtle the way Wallace works, but if the voter registration drive succeeds, and a substantial number of Negroes do register in Alabama, he will undoubtedly bid for their votes by pointing out how much he has done for them. He is a man of great principle.

DESERVES A PLAQUE

Today Rev. Martin Luther King will try to lead a new march from Selma to Montgomery. The smartest thing King can do is announce that the purpose of the march is to present a plaque to George Wallace in appreciation for all he has done for the civil rights movement. This is the most powerful weapon that could be used against Wallace. In 1958, he ran for Governor of Alabama and he lost to John Patterson because the people of Alabama suspected that Wallace hated Negroes less than Patterson did. It was a terrible thing to say about Wallace. But ever since then students at Harvard and Yale and Dartmouth have been waving placards saying that Wallace is a racist, and this has reassured the citizens of Alabama. They respect the opinions of Ivy Leaguers.

Wallace would be very upset if the Negroes came out openly for him. He is a political man, and it would kill him politically. His term of office expires next year, and he is already thinking about changing the State law, that says a Governor and may not succeed

himself. It is too good a job to give up after only one term. The Governor of Alabama is responsible each year for the purchase of \$200 million worth of liquor for the State liquor stores. It is the kind of responsibility that makes all the headaches of freedom marches and sit-ins worth while.

It is very important to Wallace that the Negroes continue hating him—almost as important as it is to the Negroes that Wallace continue hating them. Wallace's storm troopers strengthen the civil rights movement, and King's marches strengthen Wallace in office. It is all crazy, which makes it perfectly logical for the whole situation.

A CHAMPION

The truth is that Wallace has no real hatred for Negroes. He likes them. He simply thinks they should be kept separate, and it is easy to see, from his background, how Wallace developed this thinking. In the 1930's, he was a Golden Gloves boxing champion in Alabama. There were not too many good fighters in Alabama then, but there was a young man who had left Alabama named Joseph Louis Barrow. He was fighting out of Detroit, but Joe Louis would have been happy to come back to Alabama to fight George Wallace. The law in Alabama said firmly that white fighters could not fight Negro fighters, and this law probably saved George Wallace's life.

Wallace grew up in the Black Belt of Alabama, in a county where roughly half the population was Negro. It hurts him just as much as anybody else to see Negroes beaten with whips and clubbed over the head and sprayed with tear gas. It probably hurts him more because he really knows Negroes. In Alabama, they say you're not a man unless you really know Negroes.

The Right To Vote

EXTENSION OF REMARKS

OF

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1965

Mr. DERWINSKI. Mr. Speaker, it is necessary that the Congress take another look at the voting rights provision in civil rights laws so that the right to vote not be denied any qualified citizen.

I certainly hope when the Judiciary Committees of the House and Senate look into this very necessary area, they will take steps to guarantee the vote to Negroes in the South and give necessary attention to the abuse of voting rights in eastern and midwestern cities controlled by corrupt political machines.

Therefore, Mr. Speaker, I insert into the RECORD a most timely letter that appeared in the Harvey Tribune, an independent publication serving the suburbs of Cook County, Ill.:

THE RIGHT TO VOTE

The right of every qualified citizen to vote is one which should not be denied and there is no argument to the contrary. It can be said that citizens must be qualified as the Constitution of the United States states and the qualifications should be applied equally to all and should be reasonable.

There are few places in the Nation where voting rights are intentionally denied but, of course, there are some—not only in the South, because elsewhere powerful political machines steal votes and hoodlums in metro-

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politan areas do the same by intimidation, all of which equals denying the citizen his fundamental right.

The right to vote is a part of the American heritage and what was fought for in the Revolution.

There may be differences of opinion about various human rights by conscientious people of good faith on both sides of various issues, but on the question of the right to vote there is only one side—and that is that every American, if qualified, should have the right to make his choices in the voting booth.

How To Write Letters to Your Members of Congress

EXTENSION OF REMARKS OF

HON. JOHN R. HANSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1965

Mr. HANSEN of Iowa. Mr. Speaker, each Member of Congress is called upon to answer literally thousands of cards and letters from the residents of his State or district. Most of us feel at one time or another that this mountain of correspondence could be much more profitably used, if someone would give assistance to the writers in giving guidelines on how to write about legitimate concerns.

The Council Bluffs Nonpareil in its March 1 lead editorial has performed this singular service for its readers. Not only do I personally appreciate this, but I feel it may be of assistance to other Congressmen who may want to use it in giving help to those in their districts who would benefit from it.

How To WRITE LETTERS TO YOUR MEMBERS OF CONGRESS

Have you ever written a letter to your Member of the House of Representatives, or either of the U.S. Senators from Iowa?

As you are probably aware your Senators are BOURKE HICKENLOOPER, of Cedar Rapids, and JACK MILLER, of Sioux City. They are Republicans.

Our new Representative from the Seventh District is a Democrat, JOHN R. HANSEN, of Manning.

We frequently receive letters asking how to address them in Washington. The simplest way is to address the Senators, "U.S. Senate, Washington, D.C." and Representatives, "House of Representatives, Washington, D.C." Their mail will be delivered directly to their offices.

Many voters fail to communicate their views on governmental affairs and pending legislation because they think their Congressmen are too busy to pay any attention to a lone voter. Just the opposite is true. Your Representative and your Senators want to get mail from home. They want to hear from you.

Because you may belong to a different political party, don't think your Representative or your Senators will ignore your opinions.

They want to vote as they believe a majority of their constituents would like to have them vote. They know their continuance in office depends upon the support of the voters back home.

It is not unusual for a Representative or a Senator to say that he would have voted differently on some measure if he had realized how the people in his State or district felt.

Write on your personal or business letter-head, or use plain stationary and envelope. Sign your name legibly or type it at the bottom of your letter. Congressmen seldom take the time to read unsigned letters.

Know your subject, and name the House or Senate bill you are writing about. Express your thoughts and conclusions in your own words.

State your reason for writing. Tell him how you think the proposed legislation or action of the Government would affect you, your family, business or profession—or its effect on your State or community.

Do not use phrases and sentences from form letters. They will have little or no effect.

Be reasonable. Don't ask for impossible things. Don't threaten, or say you will never vote for him again if he doesn't do certain things or vote a certain way.

After you have told him where you stand, ask him to state his position in a reply.

If his vote or action on any issue pleases you, write and tell him so. Much of the mail received by Congressmen is from people who are displeased with their actions. When your Senator or Representative receives a letter of commendation he will remember it.

Timing of your letter is important. Try to write when the legislation is pending in committee. The place to get approval or disapproval of a bill, or get it amended is in committee. Congress seldom passes a measure without the prior approval of a majority of the committees to which it is referred.

As we said in the beginning your Senators and Representatives will give more attention to your suggestions if they know you are keeping in touch with legislative issues, and write them occasionally.

Crime Detection Society Supports L.B.J.

EXTENSION OF REMARKS OF

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1965

Mr. DEVINE. Mr. Speaker, the Society for Scientific Detection of Crime of Columbus, Ohio, recognizing the seriousness of the increase in crime across this Nation, directed a letter to President Johnson on March 5, as follows:

MARCH 5, 1965.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: Our organization, the Society for Scientific Detection of Crime, Columbus, Ohio, has noted with great interest the concern you have shown over the increasing rate of crime throughout the country. We would appreciate being able to add our support in this concern.

Our society, in this location, has been in existence for 21 years and is composed of many of our leading criminal investigators in the legal, medical, scientific, and police investigative fields and many ancillary areas. One member, now honorary, Hon. SAMUEL L. DEVINE, Member of Congress, was most active in our society during his years as prosecuting attorney of our county.

Mr. President, we would urge you to proceed, with all reasonable haste, to establish a type of National Crime Commission to concern itself with all phases of evaluation of prevention, detection, and elimination of crime. Our hope would be that through knowledge, improvement in communication, understanding, and recommendations, such

a commission would assist every community in controlling, if not eliminating, much of the crime in their midst.

If our organization can be of any service, please feel free to call upon us, and we shall try to serve in any manner we can.

Respectfully yours,
JOHN W. MONTAG,
President.

This nonpartisan organization has devoted years in objective study of problems of crime, and meets each month to exchange valuable information on helpful analysis and possible solutions.

They can be of help to the President.

Drifting and to Where?

EXTENSION OF REMARKS OF

HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1965

Mr. O'NEAL of Georgia. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include an address by former Congressman B. T. Castellow, of Cuthbert, Ga. This speech was delivered in this very Chamber on February 6, 1936.

The Honorable B. T. Castellow represented the Third Congressional District in the U.S. House of Representatives at a time when Cuthbert, Ga., was a part of the Third Congressional District. However, since his tenure of office, Cuthbert has been placed within the bounds of the Second Congressional District, which district it is my privilege and pleasure to now represent in the House of Representatives.

I would like to mention that the Honorable B. T. Castellow served as solicitor general of the Pataula Judicial Circuit for many years, and in a most efficient and honorable manner. I served as solicitor general, for 23 1/2 years, of the adjoining Albany Judicial Circuit of Georgia, and I quite naturally feel a very close bond to the memory of one who has had years of the same kind of service as solicitor general.

Mrs. B. T. Castellow, the widow of the late Congressman Castellow, has kindly and most graciously furnished me with a copy of the above mentioned speech. I, therefore, with permission, include the speech as it was reproduced in the Cuthbert Times on November 5, 1964. The title of the speech is "Drifting and to Where"?

SPEECH OF THE LATE B. T. CASTELLOW IN 1936

Mr. CASTELLOW. Mr. Chairman, there has been much discussion during general debate this session of a purely political nature. I am taking little part in these discussions, as I do not claim to be or hope to become distinguished as a politician. In fact, I do not and have never liked politics, though I fully realize that it is becoming more and more interwoven with our every activity and legislative uncertainty supplements the normal uncertainties of every business venture.

As I see it, the welfare of the masses is far more important than the political preference of any man or the promotion of the